

AN ACT

relating to the regulation of political signs by a municipality.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter Z, Chapter 216, Local Government Code, is amended by adding Section 216.903 to read as follows:

Sec. 216.903. REGULATION OF POLITICAL SIGNS BY MUNICIPALITY. (a) In this section, "private real property" does not include real property subject to an easement or other encumbrance that allows a municipality to use the property for a public purpose.

(b) A municipal charter provision or ordinance that regulates signs may not, for a sign that contains primarily a political message and that is located on private real property with the consent of the property owner:

(1) prohibit the sign from being placed;

(2) require a permit or approval of the municipality or impose a fee for the sign to be placed;

(3) restrict the size of the sign; or

(4) provide for a charge for the removal of a political sign that is greater than the charge for removal of other signs regulated by ordinance.

(c) Subsection (b) does not apply to a sign, including a billboard, that contains primarily a political message on a temporary basis and that is generally available for rent or

1 purchase to carry commercial advertising or other messages that are
2 not primarily political.

3 (d) Subsection (b) does not apply to a sign that:

4 (1) has an effective area greater than 36 feet;

5 (2) is more than eight feet high;

6 (3) is illuminated; or

7 (4) has any moving elements.

8 SECTION 2. This Act takes effect September 1, 2003.

H.B. No. 212

President of the Senate

Speaker of the House

I certify that H.B. No. 212 was passed by the House on March 18, 2003, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 212 on May 28, 2003, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 212 was passed by the Senate, with amendments, on May 26, 2003, by a viva-voce vote.

Secretary of the Senate

APPROVED: _____

Date

Governor