

1-1 By: Keel, et al. (Senate Sponsor - Wentworth) H.B. No. 212
1-2 (In the Senate - Received from the House March 19, 2003;
1-3 March 26, 2003, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 22, 2003, reported adversely,
1-5 with favorable Committee Substitute by the following vote: Yeas 4,
1-6 Nays 0; May 22, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 212 By: Wentworth

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the regulation of political signs by a municipality.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter Z, Chapter 216, Local Government
1-13 Code, is amended by adding Section 216.903 to read as follows:

1-14 Sec. 216.903. REGULATION OF POLITICAL SIGNS BY
1-15 MUNICIPALITY. (a) In this section, "private real property" does
1-16 not include real property subject to an easement or other
1-17 encumbrance that allows a municipality to use the property for a
1-18 public purpose.

1-19 (b) A municipal charter provision or ordinance that
1-20 regulates signs may not, for a sign that contains primarily a
1-21 political message and that is located on private real property with
1-22 the consent of the property owner:

1-23 (1) prohibit the sign from being placed;

1-24 (2) require a permit or approval of the municipality
1-25 or impose a fee for the sign to be placed; or

1-26 (3) restrict the size of the sign to a size smaller
1-27 than that permitted for other signs under the provision or
1-28 ordinance.

1-29 (c) Subsection (b) does not apply to a sign, including a
1-30 billboard, that contains primarily a political message on a
1-31 temporary basis and that is generally available for rent or
1-32 purchase to carry commercial advertising or other messages that are
1-33 not primarily political.

1-34 (d) Subsection (b) does not apply to a sign that:

1-35 (1) has an effective area greater than 36 feet;

1-36 (2) is more than eight feet high;

1-37 (3) is illuminated; or

1-38 (4) has any moving elements.

1-39 SECTION 2. This Act takes effect September 1, 2003.

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