

By: Gattis

H.B. No. 1344

Substitute the following for H.B. No. 1344:

By: Solomons

C.S.H.B. No. 1344

A BILL TO BE ENTITLED

AN ACT

relating to regulation by a property owners' association of certain political signs.

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

SECTION 1. Chapter 202, Property Code, is amended by adding Section 202.009 to read as follows:

Sec. 202.009. REGULATION OF POLITICAL SIGNS. (a) A property owners' association may not enforce or adopt a restrictive covenant, rule, or other prohibition that prohibits a property owner from displaying, on or after the 90th day before the date of an election to be held in a political subdivision in which the property is located and on or before the 15th day after that date, a sign supporting a political party, a ballot issue for that election, or a candidate who has filed to run for office in that election.

(b) Subsection (a) does not prohibit a property owners' association from prohibiting the display of:

(1) a sign that:

(A) exceeds two feet in width or three feet in length;

(B) is illuminated;

(C) has any moving elements; or

(D) creates a public nuisance or an impediment to traffic safety; or

1 (2) more than one sign supporting a single candidate,
2 single ballot issue, or single party.

3 SECTION 2. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2005.