

By: Hill

H.B. No. 2391

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of political signs by municipalities.

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

SECTION 1. Section 216.903, Local Government Code, is amended 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) 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

1 the consent of the property owner, restrict a sign that is 16 sq
2 feet or less in area and that is attached to a fence or another
3 structure fixed to land, other than a house, a structure attached to
4 a house, or a garage or another structure designed, at least in
5 part, for the purpose of providing shelter for a motor vehicle.

6 (d) Subsection (b) does not apply to a sign, including a
7 billboard, that contains primarily a political message on a
8 temporary basis and that is generally available for rent or
9 purchase to carry commercial advertising or other messages that are
10 not primarily political.

11 (e) [~~(d)~~] Subsection (b) does not apply to a sign that:

- 12 (1) has an effective area greater than 6 [~~36~~] feet;
13 (2) is more than four [~~eight~~] feet high;
14 (3) is illuminated; or
15 (4) has any moving elements.

16 (f) A municipality may by ordinance restrict the placement
17 of a sign that contains primarily a political message to a period of
18 30 days prior to an election and require removal of such signs
19 within 3 days after an election.