

1-1 By: Kolkhorst (Senate Sponsor - Hegar) H.B. No. 1521
1-2 (In the Senate - Received from the House March 29, 2007;
1-3 April 3, 2007, read first time and referred to Committee on
1-4 Transportation and Homeland Security; May 16, 2007, reported
1-5 favorably by the following vote: Yeas 8, Nays 0; May 16, 2007,
1-6 sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the prohibition of signs on certain roads.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 391.252(a), Transportation Code, is
1-12 amended to read as follows:

1-13 (a) A person may not erect an off-premise sign that is
1-14 adjacent to and visible from:

1-15 (1) U.S. Highway 290 between the western city limits
1-16 of the city of Austin and the eastern city limits of the city of
1-17 Fredericksburg;

1-18 (2) State Highway 317 between the northern city limits
1-19 of the city of Belton to the southern city limits of the city of
1-20 Valley Mills;

1-21 (3) State Highway 16 between the northern city limits
1-22 of the city of Kerrville and Interstate Highway 20;

1-23 (4) U.S. Highway 77 between State Highway 186 and
1-24 State Highway 44;

1-25 (5) ~~U.S. Highway 281 between State Highway 186 and~~
1-26 ~~Interstate Highway 37, exclusive of the segment of U.S. Highway 281~~
1-27 ~~located in the city limits of Three Rivers;~~

1-28 ~~[(5)]~~ U.S. Highway 281 between:

1-29 (A) State Highway 186 and Interstate Highway 37,
1-30 exclusive of the segment of U.S. Highway 281 located in the city
1-31 limits of Three Rivers; and

1-32 (B) the southern boundary line of Comal County
1-33 and State Highway 306;

1-34 (6) State Highway 17 between State Highway 118 and
1-35 U.S. Highway 90;

1-36 (7) State Highway 67 between U.S. Highway 90 and
1-37 Farm-to-Market Road 170;

1-38 (8) Farm-to-Market Road 170 between State Highway 67
1-39 and State Highway 118;

1-40 (9) State Highway 118 between Farm-to-Market Road 170
1-41 and State Highway 17;

1-42 (10) State Highway 105 between the western city limits
1-43 of the city of Sour Lake to the eastern city limits of the city of
1-44 Cleveland;

1-45 (11) State Highway 73 between the eastern city limits
1-46 of the city of Winnie to the western city limits of the city of Port
1-47 Arthur;

1-48 (12) State Highway 21 between the southern city limits
1-49 of the city of College Station and U.S. Highway 290;

1-50 (13) a highway located in:

1-51 (A) the Sabine National Forest;

1-52 (B) the Davy Crockett National Forest; or

1-53 (C) the Sam Houston National Forest; ~~or~~

1-54 (14) Segments 1 through 4 of State Highway 130; ~~[-]~~

1-55 ~~(15) [(14)]~~ a highway in Bandera County that is part
1-56 of the state highway system; ~~[-]~~

1-57 ~~(16) [(14)]~~ Farm-to-Market Road 3238 beginning at
1-58 State Highway 71 and any extension of that road through Hays and
1-59 Blanco Counties; ~~[-]~~

1-60 ~~(17) [(14)]~~ Farm-to-Market Road 2978 between
1-61 Farm-to-Market Road 1488 and the boundary line between Harris and
1-62 Montgomery Counties; ~~[-]~~

1-63 ~~(18) U. S. [(14) State]~~ Highway 90 between the western
1-64 city limits of the city of San Antonio and the eastern city limits

2-1 of the city of Hondo; or
 2-2 (19) the following highways in Austin County:
 2-3 (A) State Highway 159;
 2-4 (B) Farm-to-Market Road 331;
 2-5 (C) Farm-to-Market Road 529;
 2-6 (D) Farm-to-Market Road 1094; and
 2-7 (E) Farm-to-Market Road 2502.

2-8 SECTION 2. A landowner to whom a notice is mailed by the
 2-9 county clerk as provided by Section 3(b) of this Act may exclude the
 2-10 landowner's property from the application of Section 1 of this Act
 2-11 by notifying the Texas Department of Transportation in writing, by
 2-12 certified mail. In order for the landowner's property to be
 2-13 excluded from the application of Section 1 of this Act, the
 2-14 landowner's notice must be received by the Texas Department of
 2-15 Transportation within one year of the date the Texas Department of
 2-16 Transportation receives notification from all appropriate county
 2-17 clerks that notices were mailed to landowners as provided in
 2-18 Section 3(b) of this Act. The exclusion of the landowner from the
 2-19 application of Section 1 of this Act becomes effective on the date
 2-20 the landowner's notice is received by the Texas Department of
 2-21 Transportation.

2-22 SECTION 3. (a) Except as otherwise provided by this
 2-23 section, this Act takes effect September 1, 2007.

2-24 (b) Before Section 1 of this Act can become effective, the
 2-25 county clerk of the county or counties in which a segment of public
 2-26 road affected by this Act is located must send a written notice, by
 2-27 certified mail, to each landowner who owns real property, according
 2-28 to the most recent certified tax appraisal roll, along a segment of
 2-29 public road affected by this Act. The notice shall also be
 2-30 published in a newspaper of general circulation in the county or
 2-31 counties in which a segment of public road affected by this Act is
 2-32 located. The notice shall identify the segment of public road
 2-33 affected by this Act and state that the landowner's future right to
 2-34 lease the landowner's property for the purpose of erecting an
 2-35 off-premise sign will be terminated unless the landowner notifies
 2-36 the Texas Department of Transportation that the landowner plans to
 2-37 exclude the landowner's property from the application of the Act.
 2-38 The notice must be sent to landowners and published by the
 2-39 appropriate county clerk or clerks in accordance with this
 2-40 subsection within 45 days of the effective date of this Act. The
 2-41 appropriate county clerk or clerks shall notify the Texas
 2-42 Department of Transportation in writing, by certified mail, when
 2-43 the notice is mailed to the landowners and published in accordance
 2-44 with this subsection. The notice provided to the Texas Department
 2-45 of Transportation by the county clerk is public information for the
 2-46 purposes of Chapter 552, Government Code, and must include the
 2-47 following information:

2-48 (1) the affidavit of the publisher of the newspaper
 2-49 notice indicating the date the notice was published, accompanied by
 2-50 a printed copy of the notice as published; and

2-51 (2) the affidavit of the county clerk certifying the
 2-52 date notice was mailed to the landowners, accompanied by a copy of
 2-53 the notice and a list of the landowners to whom the notice was
 2-54 mailed.

2-55 (c) Section 1 of this Act takes effect on the 91st day after
 2-56 the Texas Department of Transportation receives notification from
 2-57 all appropriate county clerks as provided in Subsection (b).

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