

AN ACT

relating to permits for erecting certain outdoor signs or advertising.

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

SECTION 1. Section 391.068, Transportation Code, is amended by amending Subsection (a) and adding Subsections (d) and (e) to read as follows:

(a) Except as provided by Subsection (d), the ~~[The]~~ commission shall issue a permit to a person with a license issued under this subchapter:

(1) whose license application complies with rules adopted under Section 391.065; and

(2) whose outdoor advertising, whether owned or leased, if erected would comply with this chapter and rules adopted under Section 391.032(a).

(d) In addition to the requirements of Subsection (a), if the outdoor advertising is located within the jurisdiction of a municipality with a population of more than 1.9 million that is exercising its authority to regulate outdoor advertising, the commission may issue a permit under this section only if the municipality:

(1) has not acted to prohibit new outdoor advertising within the jurisdiction of the municipality; and

(2) has issued a permit authorizing the outdoor

1 advertising.

2 (e) Subsection (d) does not apply to the relocation of  
3 outdoor advertising to another location if the construction,  
4 reconstruction, or expansion of a highway requires the removal of  
5 the outdoor advertising.

6 SECTION 2. Section 394.021, Transportation Code, is amended  
7 by adding Subsection (c) to read as follows:

8 (c) If the off-premise sign is located within the  
9 jurisdiction of a municipality with a population of more than 1.9  
10 million that is exercising its authority to regulate off-premise  
11 signs, the commission may not issue a permit under this section if  
12 the municipality has acted to prohibit new off-premise signs within  
13 the jurisdiction of the municipality.

14 SECTION 3. Section 394.022, Transportation Code, is amended  
15 to read as follows:

16 Sec. 394.022. ISSUANCE OF PERMIT. (a) The commission  
17 shall issue a permit to a person:

18 (1) whose application complies with commission rule;  
19 (2) ~~and~~ whose sign, if erected, would comply with  
20 the requirements of this chapter; and

21 (3) who, if the off-premise sign is located within the  
22 jurisdiction of a municipality with a population of more than 1.9  
23 million that is exercising its authority to regulate off-premise  
24 signs, has obtained a permit for the off-premise sign.

25 (b) Subsection (a)(3) does not apply to the relocation of an  
26 off-premise sign to another location if the construction,  
27 reconstruction, or expansion of a highway requires the removal of

1 the off-premise sign.

2 SECTION 4. This Act takes effect September 1, 2007.

H.B. No. 2944

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2944 was passed by the House on May 8, 2007, by the following vote: Yeas 146, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2944 on May 25, 2007, by the following vote: Yeas 132, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 2944 was passed by the Senate, with amendments, on May 23, 2007, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor