

By: Murphy

H.B. No. 2944

A BILL TO BE ENTITLED

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 Subsection (d) 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 political subdivision that is exercising its authority to regulate outdoor advertising, the commission may issue a permit under this section only if the political subdivision:

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

(2) has issued a permit authorizing the outdoor advertising.

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

(c) If the off-premise sign is located within the jurisdiction of a political subdivision that is exercising its authority to regulate off-premise signs, the commission may not issue a permit under this section if the political subdivision has acted to prohibit new off-premise signs within the jurisdiction of the political subdivision.

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

Sec. 394.022. ISSUANCE OF PERMIT. The commission shall issue a permit to a person:

- (1) whose application complies with commission rule;
- (2) ~~and~~ whose sign, if erected, would comply with the requirements of this chapter; and
- (3) who, if the off-premise sign is located within the jurisdiction of a political subdivision that is exercising its authority to regulate off-premise signs, has obtained a permit for the off-premise sign.

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