

By: Murphy (Senate Sponsor - Whitmire) H.B. No. 2944
(In the Senate - Received from the House May 9, 2007;
May 10, 2007, read first time and referred to Committee on
Transportation and Homeland Security; May 18, 2007, reported
adversely, with favorable Committee Substitute by the following
vote: Yeas 5, Nays 0; May 18, 2007, sent to printer.)

COMMITTEE SUBSTITUTE FOR H.B. No. 2944

By: Watson

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 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
advertising.

(e) Subsection (d) does not apply to the relocation of
outdoor advertising to another location if the construction,
reconstruction, or expansion of a highway requires the removal of
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 municipality with a population of more than 1.9
million that is exercising its authority to regulate off-premise
signs, the commission may not issue a permit under this section if
the municipality has acted to prohibit new off-premise signs within
the jurisdiction of the municipality.

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

Sec. 394.022. ISSUANCE OF PERMIT. (a) 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 municipality with a population of more than 1.9
million that is exercising its authority to regulate off-premise
signs, has obtained a permit for the off-premise sign.

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

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

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