

House Bill 2944
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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 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.

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

SENATE VERSION

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.

Same as House version.

CONFERENCE

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HOUSE VERSION

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. 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.

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

SENATE VERSION

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.

Same as House version.

CONFERENCE