

Amend CSHB 300 (House committee printing) by adding the following ARTICLE to the bill, appropriately numbered, and renumbering subsequent ARTICLES accordingly:

ARTICLE \_\_\_\_\_. MEMORIAL SIGN PROGRAM

SECTION \_\_\_\_\_.01. (a) Sections 201.909(e), (f), and (g), Transportation Code, are amended to read as follows:

(e) If the application meets the department's requirements and the applicant pays the memorial sign fee, the department shall erect a sign. A sign posted under this section may remain posted for two years [~~one year~~]. At the end of the two-year [~~one-year~~] period the department may release the sign to the applicant. The department is not required to release a sign that has been damaged.

(f) A sign posted under this section that is damaged shall be removed by the department. Except as provided in Subsection (g), the department may post a new sign if it has been less than two years [~~one year~~] from the posting of the original sign and a person:

(1) submits a written request to the department to replace the sign; and

(2) submits a replacement fee in the amount provided under Subsection (d)(2).

(g) During the two-year [~~one-year~~] posting period the department shall replace a sign posted under this section that is damaged because of the department's negligence.

(b) If the Texas Department of Transportation determines or is informed by the applicable federal agency that the change in law to Section 201.909, Transportation Code, as amended by this section, would result in the loss to the department or this state of federal funds, the Texas Department of Transportation:

(1) is not required to comply with Section 201.909, Transportation Code, as amended by Subsection (a) of this section, but shall comply with Section 201.909, Transportation Code, as that section existed immediately before the effective date of this Act; and

(2) not later than January 1, 2011, shall submit a report to the lieutenant governor and the speaker of the house of representatives regarding the determination by the department or the applicable federal agency.