

BILL ANALYSIS

Senate Research Center

C.S.H.B. 212
By: Keel (Wentworth)
Intergovernmental Relations
5/21/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, a municipality may regulate signs of a political nature placed on private property. C.S.H.B. 212 restricts the ability of a municipality to regulate signs of a political nature placed on private property

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter Z, Chapter 216, Local Government Code, by adding Section 216.903, as follows:

Sec. 216.903. REGULATION OF POLITICAL SIGNS BY MUNICIPALITY. (a) Provides that in this section, "private real property" does not include real property subject to an easement or other encumbrance that allows a municipality to use the property for a public purpose.

(b) Prohibits a municipal charter provision or ordinance that regulates signs, for a sign that contains primarily a political message and that is located on private real property with the consent of the property owner, from imposing certain requirements.

(c) Provides that Subsection (b) does not apply to a sign, including a billboard, that contains primarily a political message on a temporary basis and that is generally available for rent or purchase to carry commercial advertising or other messages that are not primarily political.

(d) Provides that Subsection (b) does not apply to a sign that meets certain criteria.

SECTION 2. Effective date: September 1, 2003.