

1-1 By: Watson S.B. No. 2006
 1-2 (In the Senate - Filed March 10, 2017; March 27, 2017, read
 1-3 first time and referred to Committee on Transportation;
 1-4 April 24, 2017, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 7, Nays 2; April 24, 2017,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10		X		
1-11		X		
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 2006 By: Hall

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to erecting or maintaining certain outdoor signs regulated
 1-22 by the Texas Department of Transportation.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 201.931(2), Transportation Code, is
 1-25 amended to read as follows:

1-26 (2) "License" means a license or permit for a
 1-27 commercial sign [outdoor advertising] issued under Chapter 391 or
 1-28 for an off-premise sign issued under Chapter 394.

1-29 SECTION 2. Section 391.001, Transportation Code, is amended
 1-30 by adding Subdivisions (1-a) and (11-a) to read as follows:

1-31 (1-a) "Commercial sign" means a sign that is intended to
 1-32 be leased, or for which payment of any type is intended to be or is
 1-33 received, for the display of any good, service, brand, slogan,
 1-34 message, product, or company.

1-35 (11-a) "Sign" means any structure, display, light,
 1-36 device, figure, painting, drawing, message, plaque, placard,
 1-37 poster, billboard, logo, or symbol that is designed, intended, or
 1-38 used to advertise or inform.

1-39 SECTION 3. Section 391.002(b), Transportation Code, is
 1-40 amended to read as follows:

1-41 (b) The legislature declares that it is necessary to
 1-42 regulate the erection and maintenance of commercial signs [outdoor
 1-43 advertising] and the establishment, operation, and maintenance of
 1-44 junkyards in areas adjacent to the interstate and primary systems
 1-45 to:

1-46 (1) promote the health, safety, welfare, morals,
 1-47 convenience, and enjoyment of the traveling public; and

1-48 (2) protect the public investment in the interstate
 1-49 and primary systems.

1-50 SECTION 4. Section 391.006(a), Transportation Code, is
 1-51 amended to read as follows:

1-52 (a) The commission by rule shall establish procedures for
 1-53 accepting and resolving written complaints related to signs that
 1-54 are subject to [outdoor advertising under] this chapter. The rules
 1-55 must include:

1-56 (1) a process to make information available describing
 1-57 the department's procedures for complaint investigation and
 1-58 resolution, including making information about the procedures
 1-59 available on the department's Internet website;

1-60 (2) a system to prioritize complaints so that the most

2-1 serious complaints receive attention before less serious
2-2 complaints; and

2-3 (3) a procedure for compiling and reporting detailed
2-4 annual statistics about complaints.

2-5 SECTION 5. The heading to Subchapter B, Chapter 391,
2-6 Transportation Code, is amended to read as follows:

2-7 SUBCHAPTER B. REGULATION OF COMMERCIAL SIGNS [~~OUTDOOR ADVERTISING~~]
2-8 GENERALLY

2-9 SECTION 6. The heading to Section 391.031, Transportation
2-10 Code, is amended to read as follows:

2-11 Sec. 391.031. UNLAWFUL COMMERCIAL SIGNS [~~OUTDOOR~~
2-12 ~~ADVERTISING~~]; OFFENSE.

2-13 SECTION 7. Section 391.031, Transportation Code, is amended
2-14 by amending Subsection (a) and adding Subsection (b-1) to read as
2-15 follows:

2-16 (a) A person commits an offense if the person erects or
2-17 maintains a commercial sign [~~outdoor advertising~~], or allows a
2-18 commercial sign [~~outdoor advertising~~] to be erected or maintained
2-19 on property owned by the person:

2-20 (1) within 660 feet of the nearest edge of a
2-21 right-of-way if the sign [~~advertising~~] is visible from the
2-22 main-traveled way of the interstate or primary system; or

2-23 (2) outside an urban area if the sign [~~advertising~~] is
2-24 located more than 660 feet from the nearest edge of a right-of-way,
2-25 is visible from the main-traveled way of the interstate or primary
2-26 system, and is erected for the purpose of having the sign [~~its~~
2-27 ~~message~~] seen from the main-traveled way of the interstate or
2-28 primary system.

2-29 (b-1) A person does not commit an offense under this section
2-30 if the person:

2-31 (1) erects or maintains a commercial sign located
2-32 within 660 feet of the nearest edge of a right-of-way in an area in
2-33 which the land use:

2-34 (A) is designated industrial or commercial under
2-35 authority of law; or

2-36 (B) is not designated industrial or commercial
2-37 under authority of law, but the land use is consistent with an area
2-38 designated industrial or commercial; and

2-39 (2) holds a permit issued by the department for the
2-40 sign.

2-41 SECTION 8. Section 391.032, Transportation Code, is amended
2-42 to read as follows:

2-43 Sec. 391.032. REGULATION OF COMMERCIAL SIGNS [~~OUTDOOR~~
2-44 ~~ADVERTISING~~] IN INDUSTRIAL OR COMMERCIAL AREA. (a) The commission
2-45 by rule may regulate the orderly and effective display of
2-46 commercial signs [~~outdoor advertising~~] consistent with the
2-47 customary use of commercial signs [~~outdoor advertising~~] in this
2-48 state in an area in which the land use:

2-49 (1) is designated industrial or commercial under
2-50 authority of law; and

2-51 (2) is not so designated but in which the land use is
2-52 consistent with areas designated industrial or commercial in the
2-53 manner provided by Section 391.031(c).

2-54 (b) The commission may agree with the secretary of the
2-55 United States Department of Transportation to regulate the orderly
2-56 and effective display of commercial signs [~~outdoor advertising~~] in
2-57 an area described by Subsection (a).

2-58 SECTION 9. Section 391.033, Transportation Code, is amended
2-59 to read as follows:

2-60 Sec. 391.033. ACQUISITION OF COMMERCIAL SIGNS [~~OUTDOOR~~
2-61 ~~ADVERTISING~~] BY COMMISSION. (a) The commission may purchase or
2-62 acquire by eminent domain a commercial sign [~~outdoor advertising~~]
2-63 that is lawfully in existence on a highway in the interstate or
2-64 primary system.

2-65 (b) If an acquisition is by eminent domain, the commission
2-66 shall pay just compensation to:

2-67 (1) the owner for the right, title, leasehold, and
2-68 interest in the commercial sign [~~outdoor advertising~~]; and

2-69 (2) the owner or, if appropriate, the lessee of the

3-1 real property on which the commercial sign [~~outdoor advertising~~] is
3-2 located for the right to erect and maintain the sign [~~outdoor~~
3-3 ~~advertising~~].

3-4 SECTION 10. Section 391.034, Transportation Code, is
3-5 amended to read as follows:

3-6 Sec. 391.034. NUISANCE [~~OUTDOOR ADVERTISING~~]; INJUNCTION.
3-7 (a) A commercial sign [~~Outdoor advertising~~] that is erected or
3-8 maintained in violation of this chapter:

3-9 (1) endangers the health, safety, welfare, morals,
3-10 [~~convenience,~~] and enjoyment of the traveling public and the
3-11 protection of the public investment in the interstate and primary
3-12 highway systems; and

3-13 (2) is a public nuisance.

3-14 (b) On written notice by certified mail from the department,
3-15 an owner of a commercial sign [~~outdoor advertising~~] that is a public
3-16 nuisance under Subsection (a) shall remove the sign [~~advertising~~].
3-17 If the owner does not remove the sign [~~outdoor advertising~~] within
3-18 45 days of the date of the notice, the department may direct the
3-19 attorney general to apply for an injunction to:

3-20 (1) prohibit the owner from maintaining the sign
3-21 [~~advertising~~]; and

3-22 (2) require the removal of the sign [~~advertising~~].

3-23 (c) The state is entitled to recover from the owner of a
3-24 commercial sign [~~outdoor advertising~~] removed under an action
3-25 brought under Subsection (b) all administrative and legal costs and
3-26 expenses incurred to remove the sign [~~advertising~~], including court
3-27 costs and reasonable attorney's fees.

3-28 SECTION 11. Section 391.036, Transportation Code, is
3-29 amended to read as follows:

3-30 Sec. 391.036. SCOPE OF COMMISSION RESPONSIBILITY. The
3-31 commission's responsibility for the regulation of commercial signs
3-32 [~~outdoor advertising~~] is only on highways on the interstate and
3-33 primary systems, including interstate highways, state highways,
3-34 and farm-to-market roads [a federal-aid primary highway,
3-35 interstate highway, state highway, or farm-to-market road].

3-36 SECTION 12. The heading to Subchapter C, Chapter 391,
3-37 Transportation Code, is amended to read as follows:

3-38 SUBCHAPTER C. LICENSE AND PERMIT FOR COMMERCIAL SIGNS [~~OUTDOOR~~
3-39 ~~ADVERTISING~~]

3-40 SECTION 13. The heading to Section 391.061, Transportation
3-41 Code, is amended to read as follows:

3-42 Sec. 391.061. [~~OUTDOOR ADVERTISING WITHOUT~~] LICENSE FOR
3-43 COMMERCIAL SIGNS; OFFENSE.

3-44 SECTION 14. Section 391.061(a), Transportation Code, is
3-45 amended to read as follows:

3-46 (a) A person commits an offense if the person wilfully
3-47 erects or maintains a commercial sign [~~outdoor advertising~~] in an
3-48 area described by Section 391.031(a) without a license under this
3-49 subchapter.

3-50 SECTION 15. Section 391.063, Transportation Code, is
3-51 amended to read as follows:

3-52 Sec. 391.063. LICENSE FEE. The commission may set the
3-53 amount of a license fee according to a scale graduated by the number
3-54 of commercial signs owned by the license applicant that are
3-55 regulated under this chapter [units of outdoor advertising] and the
3-56 number of off-premise signs owned by the license applicant and
3-57 regulated under Chapter 394 [~~owned by a license applicant~~].

3-58 SECTION 16. Section 391.064(a), Transportation Code, is
3-59 amended to read as follows:

3-60 (a) The surety bond required of an applicant for a license
3-61 under Section 391.062 must be:

3-62 (1) in the amount of \$2,500 for each county in the
3-63 state in which the person erects or maintains a commercial sign
3-64 [~~outdoor advertising~~]; and

3-65 (2) payable to the commission for reimbursement for
3-66 removal costs of a commercial sign [~~outdoor advertising~~] that the
3-67 license holder unlawfully erects or maintains.

3-68 SECTION 17. Section 391.065, Transportation Code, is
3-69 amended to read as follows:

4-1 Sec. 391.065. RULES; FORMS. (a) The commission may adopt
 4-2 rules to implement this subchapter and Subchapters A and B
 4-3 [~~Sections 391.036, 391.061(a), 391.062, 391.063, 391.064, and~~
 4-4 ~~391.066~~].

4-5 (b) For the efficient management and administration of this
 4-6 chapter and to reduce the number of employees required to enforce
 4-7 this chapter, the commission shall adopt rules for issuing
 4-8 standardized forms that are for submission by license holders and
 4-9 applicants and that provide for an accurate showing of the number,
 4-10 location, or other information required by the commission for each
 4-11 license holder's or applicant's commercial signs under this chapter
 4-12 [~~outdoor advertising~~] or off-premise signs under Chapter 394.

4-13 (c) The commission may not adopt a rule under this chapter
 4-14 that restricts competitive bidding or advertising by the holder of
 4-15 a license issued under this chapter other than a rule to prohibit
 4-16 false, misleading, or deceptive practices. The limitation provided
 4-17 by this section applies only to rules relating to the occupation of
 4-18 erecting or maintaining commercial signs [~~outdoor advertiser~~] and
 4-19 does not affect the commission's power to regulate the orderly and
 4-20 effective display of commercial signs [~~outdoor advertising~~] under
 4-21 this chapter. A rule to prohibit false, misleading, or deceptive
 4-22 practices may not:

4-23 (1) restrict the use of:
 4-24 (A) any legal medium for an advertisement;
 4-25 (B) the license holder's advertisement under a
 4-26 trade name; or
 4-27 (C) the license holder's personal appearance or
 4-28 voice in an advertisement, if the license holder is an individual;
 4-29 or

4-30 (2) relate to the size or duration of an advertisement
 4-31 by the license holder.

4-32 SECTION 18. Section 391.0661, Transportation Code, is
 4-33 amended to read as follows:

4-34 Sec. 391.0661. APPLICABILITY OF LICENSE. In addition to
 4-35 authorizing a person to erect or maintain a commercial sign under
 4-36 this chapter [~~outdoor advertising~~], a license issued under this
 4-37 chapter authorizes a person to erect or maintain an off-premise
 4-38 sign under Chapter 394.

4-39 SECTION 19. The heading to Section 391.067, Transportation
 4-40 Code, is amended to read as follows:

4-41 Sec. 391.067. [~~OUTDOOR ADVERTISING WITHOUT~~] PERMIT FOR
 4-42 COMMERCIAL SIGNS; OFFENSE.

4-43 SECTION 20. Section 391.067(a), Transportation Code, is
 4-44 amended to read as follows:

4-45 (a) A person who has a license issued under this subchapter
 4-46 commits an offense if the person wilfully erects or maintains a
 4-47 commercial sign [~~outdoor advertising~~] for which a license is
 4-48 required under Section 391.061 unless that person also has a permit
 4-49 for the sign [~~outdoor advertising~~].

4-50 SECTION 21. Sections 391.068(a), (c), (d), and (e),
 4-51 Transportation Code, are amended to read as follows:

4-52 (a) Except as provided by Subsection (d), the commission
 4-53 shall issue a permit to a person with a license issued under this
 4-54 subchapter:

4-55 (1) whose license application complies with rules
 4-56 adopted under Section 391.065; and

4-57 (2) whose commercial sign [~~outdoor advertising~~],
 4-58 whether owned or leased, if erected would comply with this chapter
 4-59 and rules adopted under Section 391.032(a).

4-60 (c) A permit issued to regulate the erection and maintenance
 4-61 of a commercial sign [~~outdoor advertising~~] by a political
 4-62 subdivision of this state within that subdivision's jurisdiction
 4-63 shall be accepted in lieu of the permit required by this subchapter
 4-64 if the erection and maintenance of the sign [~~outdoor advertising~~]
 4-65 complies with this subchapter and rules adopted under Section
 4-66 391.032(a).

4-67 (d) In addition to the requirements of Subsection (a), if
 4-68 the commercial sign [~~outdoor advertising~~] is located within the
 4-69 jurisdiction of a municipality with a population of more than 1.9

5-1 million that is exercising its authority to regulate commercial
5-2 signs [~~outdoor advertising~~], the commission may issue a permit
5-3 under this section only if the municipality:

5-4 (1) has not acted to prohibit new commercial signs
5-5 [~~outdoor advertising~~] within the jurisdiction of the municipality;
5-6 and

5-7 (2) has issued a permit authorizing the commercial
5-8 sign [~~outdoor advertising~~].

5-9 (e) Subsection (d) does not apply to the relocation of a
5-10 commercial sign [~~outdoor advertising~~] to another location if the
5-11 construction, reconstruction, or expansion of a highway requires
5-12 the removal of the sign [~~outdoor advertising~~].

5-13 SECTION 22. Section 391.070(a), Transportation Code, is
5-14 amended to read as follows:

5-15 (a) The combined license and permit fees under this
5-16 subchapter may not exceed \$10 for a commercial sign [~~outdoor~~
5-17 ~~advertising~~] erected and maintained by a nonprofit organization in
5-18 a municipality or a municipality's extraterritorial jurisdiction
5-19 if the sign [~~advertising~~] relates to or promotes only the
5-20 municipality or a political subdivision whose jurisdiction is
5-21 wholly or partly concurrent with the municipality.

5-22 SECTION 23. The heading to Subchapter H, Chapter 391,
5-23 Transportation Code, is amended to read as follows:

5-24 SUBCHAPTER H. REGULATION OF COMMERCIAL SIGNS [~~OUTDOOR ADVERTISING~~]
5-25 ON STATE HIGHWAY 288

5-26 SECTION 24. Section 391.211(a), Transportation Code, is
5-27 amended to read as follows:

5-28 (a) This subchapter applies only to a commercial sign
5-29 [~~outdoor advertising~~] that is erected on or after September 1,
5-30 1993.

5-31 SECTION 25. Section 391.212, Transportation Code, is
5-32 amended to read as follows:

5-33 Sec. 391.212. REGULATION OF CERTAIN COMMERCIAL SIGNS
5-34 [~~OUTDOOR ADVERTISING~~]. The department may license or otherwise
5-35 regulate the erection of a commercial sign [~~outdoor advertising~~]
5-36 that is located within 1,000 feet of the center line of that part of
5-37 State Highway 288 in the unincorporated area of a county.

5-38 SECTION 26. The heading to Section 391.252, Transportation
5-39 Code, is amended to read as follows:

5-40 Sec. 391.252. [~~OFF-PREMISE SIGNS~~] PROHIBITED COMMERCIAL
5-41 SIGNS.

5-42 SECTION 27. Sections 391.252(a) and (c), Transportation
5-43 Code, are amended to read as follows:

5-44 (a) A person may not erect a commercial [~~an off-premise~~]
5-45 sign that is adjacent to and visible from:

5-46 (1) U.S. Highway 290 between the western city limits
5-47 of the city of Austin and the eastern city limits of the city of
5-48 Fredericksburg;

5-49 (2) State Highway 317 between the northern city limits
5-50 of the city of Belton to the southern city limits of the city of
5-51 Valley Mills;

5-52 (3) State Highway 16 between the northern city limits
5-53 of the city of Kerrville and Interstate Highway 20;

5-54 (4) U.S. Highway 77 between State Highway 186 and
5-55 State Highway 44;

5-56 (5) U.S. Highway 281 between:
5-57 (A) State Highway 186 and Interstate Highway 37,
5-58 exclusive of the segment of U.S. Highway 281 located in the city
5-59 limits of Three Rivers; and

5-60 (B) the southern boundary line of Comal County
5-61 and State Highway 306;

5-62 (6) State Highway 17 between State Highway 118 and
5-63 U.S. Highway 90;

5-64 (7) State Highway 67 between U.S. Highway 90 and
5-65 Farm-to-Market Road 170;

5-66 (8) Farm-to-Market Road 170 between State Highway 67
5-67 and State Highway 118;

5-68 (9) State Highway 118 between Farm-to-Market Road 170
5-69 and State Highway 17;

- 6-1 (10) State Highway 105 between the western city limits
- 6-2 of the city of Sour Lake to the eastern city limits of the city of
- 6-3 Cleveland;
- 6-4 (11) State Highway 73 between the eastern city limits
- 6-5 of the city of Winnie to the western city limits of the city of Port
- 6-6 Arthur;
- 6-7 (12) State Highway 21 between the southern city limits
- 6-8 of the city of College Station and U.S. Highway 290;
- 6-9 (13) a highway located in:
- 6-10 (A) the Sabine National Forest;
- 6-11 (B) the Davy Crockett National Forest; or
- 6-12 (C) the Sam Houston National Forest;
- 6-13 (14) Segments 1 through 4 of State Highway 130;
- 6-14 (15) a highway in Bandera County that is part of the
- 6-15 state highway system;
- 6-16 (16) Farm-to-Market Road 3238 beginning at State
- 6-17 Highway 71 and any extension of that road through Hays and Blanco
- 6-18 Counties;
- 6-19 (17) Farm-to-Market Road 2978 between Farm-to-Market
- 6-20 Road 1488 and the boundary line between Harris and Montgomery
- 6-21 Counties;
- 6-22 (18) U.S. Highway 90 between the western city limits
- 6-23 of the city of San Antonio and the eastern city limits of the city of
- 6-24 Hondo; or
- 6-25 (19) the following highways in Austin County:
- 6-26 (A) State Highway 159;
- 6-27 (B) Farm-to-Market Road 331;
- 6-28 (C) Farm-to-Market Road 529;
- 6-29 (D) Farm-to-Market Road 1094; and
- 6-30 (E) Farm-to-Market Road 2502.

6-31 (c) This section does not prohibit a person from erecting a
 6-32 commercial [~~an off-premise~~] sign permitted by other law, rule, or
 6-33 regulation that is adjacent to and visible from a roadway not listed
 6-34 in this section and is visible from a roadway listed under this
 6-35 section if the intended purpose of the sign is to be visible only
 6-36 from the roadway not listed under this section.

6-37 SECTION 28. Section 391.253, Transportation Code, is
 6-38 amended to read as follows:

6-39 Sec. 391.253. REERECTION, RECONSTRUCTION, REPAIR, OR
 6-40 REBUILDING OF COMMERCIAL [~~OFF-PREMISE~~] SIGNS. (a) A commercial
 6-41 [~~An off-premise~~] sign that is adjacent to and visible from a highway
 6-42 listed in Section 391.252 that is blown down, destroyed, taken
 6-43 down, or removed for a purpose other than maintenance or to change a
 6-44 letter, symbol, or other matter on the sign may be reerected,
 6-45 reconstructed, repaired, or rebuilt only if the cost of reerecting,
 6-46 reconstructing, repairing, or rebuilding the sign is not more than
 6-47 60 percent of the cost of erecting a new commercial [~~off-premise~~]
 6-48 sign of the same size, type, and construction at the same location.

6-49 (b) The department shall permit the relocation of a
 6-50 commercial [~~an off-premise~~] sign adjacent to and visible from a
 6-51 highway listed in Section 391.252 to another location that is
 6-52 adjacent to and visible from the same highway if:

6-53 (1) the construction, reconstruction, or expansion of
 6-54 a highway requires the removal of the sign;

6-55 (2) the sign is not modified to increase the
 6-56 above-grade height, the area of each sign face, the dimensions of
 6-57 the sign face, the number of sign faces, or the illumination of the
 6-58 sign; and

6-59 (3) the department identifies an alternate site for
 6-60 the relocation of the sign adjacent to and visible from the highway
 6-61 listed in Section 391.252.

6-62 (c) For purposes of this section, the department shall
 6-63 specify, within 30 days of receipt of a request for a relocation
 6-64 site, a minimum of three alternate sites that meet permitting
 6-65 requirements for a commercial [~~an off-premise~~] sign to be
 6-66 reerected, reconstructed, repaired, or rebuilt adjacent to and
 6-67 visible from a highway listed in Section 391.252.

6-68 (d) The owner of a commercial [~~an off-premise~~] sign that is
 6-69 reerected, reconstructed, repaired, or rebuilt according to

7-1 Subsection (a) or relocated according to Subsection (b) may alter
7-2 the materials and design of the sign to reduce the number of upright
7-3 supports, subject to other restrictions in this section, in a
7-4 manner that meets or exceeds the pre-existing structural
7-5 specifications of the sign.

7-6 SECTION 29. Section 391.254(d), Transportation Code, is
7-7 amended to read as follows:

7-8 (d) Before a suit may be brought for a violation of Section
7-9 391.252, the attorney general, the district or county attorney for
7-10 the county, or the municipal attorney of the municipality in which
7-11 the violation is alleged to have occurred shall give the owner of
7-12 the commercial [~~off-premise~~] sign a written notice that:

7-13 (1) describes the violation and specific location of
7-14 the sign found to be in violation;

7-15 (2) states the amount of the proposed penalty for the
7-16 violation; and

7-17 (3) gives the owner 30 days from receipt to remove the
7-18 sign and cure the violation to avoid the penalty unless the sign
7-19 owner was given notice and opportunity to cure a similar violation
7-20 within the preceding 12 months.

7-21 SECTION 30. Section 394.0203, Transportation Code, is
7-22 amended to read as follows:

7-23 Sec. 394.0203. LICENSE FEE. The commission may set the
7-24 amount of a license fee according to a scale graduated by the number
7-25 of off-premise signs owned by the license applicant regulated under
7-26 this chapter and commercial signs owned by the applicant regulated
7-27 [units of outdoor advertising] under Chapter 391 [~~owned by a~~
7-28 ~~license applicant~~].

7-29 SECTION 31. Section 394.0205(b), Transportation Code, is
7-30 amended to read as follows:

7-31 (b) For the efficient management and administration of this
7-32 chapter and to reduce the number of employees required to enforce
7-33 this chapter, the commission shall adopt rules for issuing
7-34 standardized forms that are for submission by license holders and
7-35 applicants and that provide for an accurate showing of the number,
7-36 location, or other information required by the commission for each
7-37 license holder's or applicant's off-premise signs under this
7-38 chapter or commercial signs [~~outdoor advertising~~] under Chapter
7-39 391.

7-40 SECTION 32. Section 394.0207, Transportation Code, is
7-41 amended to read as follows:

7-42 Sec. 394.0207. APPLICABILITY OF LICENSE. In addition to
7-43 authorizing a person to erect or maintain an off-premise sign, a
7-44 license issued under this chapter authorizes a person to erect or
7-45 maintain a commercial sign [~~outdoor advertising~~] under Chapter 391.

7-46 SECTION 33. The following provisions of the Transportation
7-47 Code are repealed:

- 7-48 (1) Section 391.001(10);
- 7-49 (2) Section 391.005;
- 7-50 (3) Section 391.031(b);
- 7-51 (4) Section 391.037;
- 7-52 (5) Section 391.061(c); and
- 7-53 (6) Section 391.251.

7-54 SECTION 34. This Act takes effect immediately if it
7-55 receives a vote of two-thirds of all the members elected to each
7-56 house, as provided by Section 39, Article III, Texas Constitution.
7-57 If this Act does not receive the vote necessary for immediate
7-58 effect, this Act takes effect September 1, 2017.

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7-59