School
La Grulla High School

Senate Committee
#N/A

Senate Author

House Committee
Transportation

House Authors

Lobbyist

Journalist

Highway Visibility Act

HB 39

Bill Text

A BILL TO BE ENTITLED
AN ACT

relating to the relocation, adjustment, and ownership of commercial signs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 391, Transportation Code, is amended by adding Sections 391.0331 and 391.037 to read as follows:

Sec. 391.0331. RELOCATION OF CERTAIN COMMERCIAL SIGNS BECAUSE OF HIGHWAY CONSTRUCTION, PUBLIC INFRASTRUCTURE, OR PUBLIC IMPROVEMENT. (a) If a commercial sign use, structure, or permit may not be continued because of the widening, construction, or reconstruction of a highway, the installation, expansion, or construction of public infrastructure, or the undertaking of a public improvement project by a public improvement district, the owner of the commercial sign may relocate the use, structure, or permit to another location permitted by this chapter or rules adopted under this chapter.

(b) If the use or structure is located in a municipality, the municipality in which the use or structure is located shall, if necessary, provide for the relocation by a special exception to any applicable ordinance.

Sec. 391.037. OBSTRUCTION OF VIEW AND READABILITY OF CERTAIN COMMERCIAL SIGNS. (a) If the view and readability of a commercial sign are obstructed due to a noise abatement or safety measure, a grade change, vegetation, construction, an aesthetic

STUDENT LEGISLATIVE SESSION
TEXAS STATE CAPITOL
EST. 2003

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improvement made by an agency of this state, or a directional sign, the owner of the commercial sign may relocate the sign to a location in which a commercial sign is permitted under this chapter or rules adopted under this chapter. The owner of the sign is responsible for all costs associated with relocating a sign under this subsection and is not entitled to any compensation for those costs.

(b) If the commercial sign is located in a municipality, the municipality in which the commercial sign is located shall, if necessary, provide for the relocation by a special exception to any applicable ordinance.

SECTION 2. Subtitle H, Title 6, Transportation Code, is amended by adding Chapter 398 to read as follows:

CHAPTER 398. PROVISIONS GENERALLY APPLICABLE TO OUTDOOR COMMERCIAL SIGNS

Sec. 398.001. RIGHTS OF OWNER OF CERTAIN SIGNS. The rights associated with a commercial sign, as defined by Section 391.001, that was lawfully erected but no longer complies with current laws and regulations, including laws and regulations promulgated under Chapters 391 and 394 of this code, and Chapter 216, Local Government Code, vest in the owner of the commercial sign.

SECTION 3. This Act takes effect January 1, 2027.