

By: Miles

S.B. No. 355

A BILL TO BE ENTITLED

AN ACT

relating to the civil penalty for certain signs placed on the right-of-way of a public road.

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

SECTION 1. Sections 393.007(a) and (b), Transportation Code, are amended to read as follows:

(a) A person who places, ~~or~~ commissions the placement of, uses, or benefits from the placement of a sign on the right-of-way of a public road that is not otherwise authorized by law may be liable for a civil penalty. A district or county attorney or a municipal attorney in the jurisdiction in which the placement of a sign on the right-of-way of a public road is alleged to have occurred may sue to collect the penalty.

(b) The amount of the civil penalty is \$10,000 ~~[not less than \$500 or more than \$1,000]~~ for each violation ~~[, depending on the seriousness of the violation and whether the person has previously violated this chapter]~~. A separate penalty may be collected for each day a continuing violation occurs.

SECTION 2. The change in law made by this Act applies only to a violation that occurs on or after the effective date of this Act. A violation that occurs before the effective date of this Act is governed by the law in effect on the date the violation occurred, and the former law is continued in effect for that purpose. For purposes of this section, a violation occurs before the effective

1 date of this Act if any element of the violation occurs before that  
2 date.

3 SECTION 3. This Act takes effect September 1, 2021.