

1-1 By: Miles S.B. No. 355  
 1-2 (In the Senate - Filed January 15, 2021; March 9, 2021, read  
 1-3 first time and referred to Committee on Transportation;  
 1-4 April 8, 2021, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 8, 2021,  
 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. 355 By: Seliger

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

1-21 relating to the civil penalty for certain signs placed on the  
 1-22 right-of-way of a public road.

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

1-24 SECTION 1. Sections 393.007(a) and (b), Transportation  
 1-25 Code, are amended to read as follows:

1-26 (a) A person who places, ~~or~~ commissions the placement of,  
 1-27 or whose commercial advertisement is placed on a sign on the  
 1-28 right-of-way of a public road that is not otherwise authorized by  
 1-29 law may be liable for a civil penalty. A district or county  
 1-30 attorney or a municipal attorney in the jurisdiction in which the  
 1-31 placement of a sign on the right-of-way of a public road is alleged  
 1-32 to have occurred may sue to collect the penalty.

1-33 (b) The amount of the civil penalty is:

1-34 (1) not less than \$500 or more than \$1,000 for a first  
 1-35 [each] violation;

1-36 (2) \$5,000 for a second violation; and

1-37 (3) \$10,000 for a third or subsequent violation  
 1-38 [depending on the seriousness of the violation and whether the  
 1-39 person has previously violated this chapter. A separate penalty  
 1-40 may be collected for each day a continuing violation occurs].

1-41 SECTION 2. The change in law made by this Act applies only  
 1-42 to a violation that occurs on or after the effective date of this  
 1-43 Act. A violation that occurs before the effective date of this Act  
 1-44 is governed by the law in effect on the date the violation occurred,  
 1-45 and the former law is continued in effect for that purpose. For  
 1-46 purposes of this section, a violation occurs before the effective  
 1-47 date of this Act if any element of the violation occurs before that  
 1-48 date.

1-49 SECTION 3. This Act takes effect September 1, 2021.

1-50 \* \* \* \* \*