

BILL ANALYSIS

Senate Research Center
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H.B. 1873
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Intergovernmental Relations
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Engrossed

DIGEST AND PURPOSE

Under current law, should a sign be placed on the right-of-way of a public road, law enforcement officers have the ability to fine the individual who placed the signs improperly. The burden for enforcement is placed upon law enforcement as they must catch someone in the act of placing these signs illegally. They also are responsible for using their manpower and equipment to remove the signs. H.B. 1873 amends Sections 393.002 and 393.0025, Transportation Code, to grant law enforcement a stronger tool in dealing with illegally placed signs by allowing them to fine the individual, partnership, corporation, or other legal entity that compensates someone to place the signs or is advertised on the sign itself.

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 Section 393.002, Transportation Code, as follows:

- (a) Subsection created from existing text.
- (b) Provides that an individual, partnership, corporation, or other legal entity that compensates a person, including an employee, for placing a commercial sign on the right-of-way of a public road in violation of this section is considered to have placed the sign in violation of this section and may be prosecuted under Section 393.005.
- (c) Provides that an individual, partnership, corporation, or other legal entity that is advertised on a commercial sign placed on the right-of-way of a public road in violation of this section is considered to have placed the sign in violation of this section and may be prosecuted under Section 393.005.

SECTION 2. Amends Section 393.0025, Transportation Code, by adding Subsections (c) and (d), as follows:

- (c) Provides that an individual, partnership, corporation, or other legal entity that compensates a person, including an employee, for placing a commercial sign on the right-of-way of a road or highway maintained by a municipality in violation of this section is considered to have placed the sign in violation of this section and may be prosecuted under Section 393.005.
- (d) Provides that an individual, partnership, corporation, or other legal entity that is advertised on a commercial sign placed on the right-of-way of a road or highway maintained by a municipality in violation of this section is considered to have placed the sign in violation of this section and may be prosecuted under Section 393.005.

SECTION 3. Amends Section 393.005(a), Transportation Code, to provide that a person commits an offense if the person violates Section 393.002 or 393.0025.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2003.