

BILL ANALYSIS

C.S.H.B. 1873
By: Riddle
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, should a sign be placed on the right-of-way of a public road, law enforcement 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 of the signs. CSHB1873 seeks to amend Section 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

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Section 393.002, Transportation Code, to state that an individual, partnership, corporation, or other legal entity that compensates a person for illegally placing a commercial sign on a right-of-way of a public road is eligible for prosecution. An individual, partnership, corporation or other legal entity that is advertised by the illegally placed commercial sign is also eligible for prosecution.

SECTION 2. Amends Section 393.0025, Transportation Code to add that an individual, partnership, corporation, or other legal entity that compensates a person for illegally placing a commercial sign on a right-of-way of a public road is eligible for prosecution. An individual, partnership, corporation or other legal entity that is advertised by the illegally placed commercial sign is also eligible for prosecution.

SECTION 3. Amends Section 393.005 (a), Transportation Code to state that a person commits an offense if they violate Section 393.002 or 393.0025.

SECTION 4. States that the change in law applies only to offenses committed on or after the effective date.

EFFECTIVE DATE

September 1, 2003

COMPARISON OF ORIGINAL TO SUBSTITUTE

CSHB 1873 differs from the original in that it adds the word "commercial" before the word "sign" in SECTION 1 and SECTION 2.

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SECTION 2. Amends Section 393.0025, Transportation Code to add that an individual, partnership, corporation, or other legal entity that compensates a person for illegally placing a commercial sign on a right-of-way of a public road is eligible for prosecution. An individual, partnership, corporation or other legal entity that is advertised by the illegally placed commercial sign is also eligible for prosecution.

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SECTION 2. Amends Section 393.0025, Transportation Code to add that an individual, partnership, corporation, or other legal entity that compensates a person for illegally placing a commercial sign on a right-of-way of a public road is eligible for prosecution. An individual, partnership, corporation or other legal entity that is advertised by the illegally placed commercial sign is also eligible for prosecution.

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