

By: Riddle

H.B. No. 1873

Substitute the following for H.B. No. 1873:

By: Hamric

C.S.H.B. No. 1873

A BILL TO BE ENTITLED

AN ACT

relating to the placement of signs on certain public rights-of-way.

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

SECTION 1. Section 393.002, Transportation Code, is amended to read as follows:

Sec. 393.002. SIGN PLACEMENT PROHIBITED. (a) Except as provided by Section 393.0025, a person may not place a sign on the right-of-way of a public road unless the placement is authorized by state law.

(b) 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) 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. Section 393.0025, Transportation Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) An individual, partnership, corporation, or other legal entity that compensates a person, including an employee, for

1 placing a commercial sign on the right-of-way of a road or highway
2 maintained by a municipality in violation of this section is
3 considered to have placed the sign in violation of this section and
4 may be prosecuted under Section 393.005.

5 (d) An individual, partnership, corporation, or other legal
6 entity that is advertised on a commercial sign placed on the
7 right-of-way of a road or highway maintained by a municipality in
8 violation of this section is considered to have placed the sign in
9 violation of this section and may be prosecuted under Section
10 393.005.

11 SECTION 3. Section 393.005(a), Transportation Code, is
12 amended to read as follows:

13 (a) A person commits an offense if the person violates
14 ~~[places a sign in violation of]~~ Section 393.002 or 393.0025.

15 SECTION 4. (a) The change in law made by this Act applies
16 only to an offense committed on or after the effective date of this
17 Act. For purposes of this section, an offense is committed before
18 the effective date of this Act if any element of the offense occurs
19 before that date.

20 (b) An offense committed before the effective date of this
21 Act is covered by the law in effect when the offense was committed,
22 and the former law is continued in effect for that purpose.

23 SECTION 5. This Act takes effect September 1, 2003.