BILL ANALYSIS

H.B. 1345
By: Gattis
Law Enforcement
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law prohibits placing or maintaining a sign on a state highway right-of-way unless it is authorized by law. The Texas Department of Transportation has authority to pick up illegal road signs, also called "bandit" signs.

House Bill 1345 authorizes local law enforcement agencies to remove these illegal signs and collect a fine of $25. The bill requires that the collected money be deposited in the respective municipal or county treasury.

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

House Bill 1345 adds Section 392.039 to the Transportation Code.

The bill authorizes local law enforcement agencies, as defined by the bill, to remove a sign in their jurisdiction that is in violation of Section 392.03 of the Transportation Code. The law enforcement agency may do so without prior notice to the owner of the sign and collect a removal fee of $25.00, which is to be deposited into the appropriate municipal or county treasury. The bill states that a law enforcement agency that removes a sign must give notice to the owner of the sign as required of the department by Section 392.033(b) and may dispose of the sign as permitted by Section 392.033(c).

EFFECTIVE DATE

September 1, 2005