

By: Gattis

H.B. No. 1345

A BILL TO BE ENTITLED

AN ACT

relating to the removal of a sign on a state highway right-of-way by a local law enforcement agency; authorizing a removal fee.

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

SECTION 1. Subchapter B, Chapter 392, Transportation Code, is amended by adding Section 392.039 to read as follows:

Sec. 392.039. REMOVAL BY LOCAL LAW ENFORCEMENT AGENCY. (a)

In this section, "local law enforcement agency" means:

(1) the police department of a municipality;

(2) the sheriff's office of a county; or

(3) a constable's office of a county.

(b) A local law enforcement agency, without prior notice to the owner of the sign, may remove a sign that is:

(1) located in the jurisdiction of the local law enforcement agency; and

(2) placed in violation of Section 392.032.

(c) A local law enforcement agency that removes a sign under this section may impose and collect from the owner of the sign a removal fee of \$25. A fee collected under this subsection shall be deposited in the municipal or county treasury, as appropriate.

(d) A local law enforcement agency that removes a sign shall 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).

1 SECTION 2. This Act takes effect September 1, 2005.