

By: Whitmire

S.B. No. 880

A BILL TO BE ENTITLED

1 AN ACT

2 relating to providing a civil penalty for violations of the
3 Antiquities Code of Texas.

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

5 SECTION 1. Subchapter F, Chapter 191, Natural Resources
6 Code, is amended by adding Section 191.1715 to read as follows:

7 Sec. 191.1715. CIVIL PENALTY. A person who violates this
8 chapter is subject to a civil penalty of not less than \$50 nor more
9 than \$1,000 for each day of violation.

10 SECTION 2. Section 191.172, Natural Resources Code, is
11 amended by amending Subsection (a) and adding Subsection (c) to
12 read as follows:

13 (a) In addition to, and without limiting the other powers of
14 the attorney general, and without altering or waiving any criminal
15 penalty provided in this chapter, the attorney general may bring an
16 action in the name of the State of Texas in any court of competent
17 jurisdiction for restraining orders and injunctive relief to
18 restrain and enjoin violations or threatened violations of this
19 chapter, ~~and~~ for the return of items taken in violation of the
20 provisions of this chapter, to recover on behalf of the state a
21 civil penalty provided by this chapter, or for both a civil penalty
22 and other relief authorized by this subsection.

23 (c) In issuing a final order in the action, the court may
24 award costs of litigation, including reasonable attorney's and

1 expert witness's fees.

2 SECTION 3. This Act takes effect September 1, 2007.