

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 17, 2007

TO: Honorable Tom Craddick, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB413 by Eissler (Relating to erecting certain signs on certain rights-of-way; providing penalties.), **As Passed 2nd House**

| |
|---|
| No significant fiscal implication to the State is anticipated. |
|---|

The bill would amend the Transportation Code, creating a civil penalty of not less than \$500 or more than \$1,000 for each violation of Subchapter B, Chapter 392, Signs on State Highway Right-of-Way. The attorney general or a district or county attorney would be authorized to sue to collect the penalty. Amounts collected by the attorney general would be deposited to the state highway fund and amounts collected by the district or county attorney would be deposited to the county road and bridge fund.

Chapter 393, Transportation Code, would be amended, authorizing a sheriff, constable, or other trained volunteer to discard a sign of less than \$25 in value that is posted in violation of the code without having to give notice to the owner of the sign. In addition, Chapter 393 would be amended by creating a civil penalty of not less than \$500 or more than \$1,000 for each violation of the chapter (Outdoor Signs on Public Rights-of-Way). A district attorney, county attorney, or municipal attorney would be authorized to sue to collect the penalty. Penalties collected by a municipality would be deposited to the municipality's general fund; those collected by a district or county attorney would be deposited to the county road and bridge fund.

The bill would amend the Government Code and the Code of Criminal Procedure to authorize concurrent jurisdiction for a justice court and a municipal court in cases that arise under an ordinance of the municipality's extraterritorial jurisdiction.

It is anticipated that any costs incurred in implementing provisions of the bill would be absorbed using existing resources. It is anticipated that revenue generated through civil suits would not be significant in proportion to the funds' totals.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General

LBB Staff: JOB, SD, KJG, DB