

Amend **HB 489** (house committee printing) by adding the following appropriately numbered SECTIONS and renumbering the remaining SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Chapter 250, Local Government Code, is amended by adding Section 250.007 to read as follows:

Sec. 250.007. GRAFFITI REMOVAL. (a) A county or municipality may require an owner of property within the jurisdiction of the county or municipality to remove graffiti from the owner's property.

(b) Subject to Subsection (e), a requirement adopted under this section shall provide that if an owner of property fails to remove graffiti not later than the 15th day after the date of notice, the county or municipality may:

(1) perform the work necessary to remove the graffiti;  
or

(2) pay for the removal of the graffiti and charge the expense to the owner of the property.

(c) The notice required by Subsection (b) must be given:

(1) personally to the owner in writing;  
(2) by letter sent by certified mail, addressed to the owner at the owner's address as contained in the records of the appraisal district in which the property is located; or

(3) if service cannot be obtained under Subdivision (1) or (2):

(A) by publication at least once;  
(B) by posting the notice on or near the front door of each building on the property to which the notice relates;  
or

(C) by posting the notice on a placard attached to a stake driven into the ground on the property to which the notice relates.

(d) This section does not apply to active transportation infrastructure or sites on which moving equipment or other special hazards make graffiti removal impracticable.

(e) Subsection (b) does not apply to:

(1) an electric utility or power generation company as defined by Section 31.002, Utilities Code; or

(2) a gas utility as defined by Section 101.003 or 121.001, Utilities Code.

SECTION \_\_\_\_\_. Subchapter C, Chapter 101, Civil Practice and Remedies Code, is amended by adding Section 101.067 to read as follows:

Sec. 101.067. GRAFFITI REMOVAL. This chapter does not apply to a claim for property damage caused by the removal of graffiti under Section 250.007, Local Government Code.