

By: Nash

H.B. No. 2601

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the removal of political signs from private property;
3 providing a penalty.

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

5 SECTION 1. Chapter 180, Local Government Code, is amended
6 by adding Section 180.007 to read as follows:

7 Sec. 180.007. UNLAWFUL REMOVAL OF POLITICAL SIGN BY PUBLIC
8 OFFICIAL. (a) In this section, "public official" means a member
9 of the governing body or another officer, whether elected,
10 appointed, paid, or unpaid, of any district, county, municipality,
11 precinct, or other local governmental entity who exercises
12 responsibilities beyond those that are advisory in nature.

13 (b) A public official may not remove or require a person to
14 remove a political sign from the person's private real property
15 that is placed on the property in compliance with an applicable law.

16 (c) A public official who violates Subsection (b) is liable
17 to the state for a civil penalty in an amount of not less than \$500
18 or more than \$1,000.

19 (d) The county attorney may recover a penalty under this
20 section in a suit brought on behalf of the state. Money collected
21 under this section shall be paid to the comptroller for deposit in
22 the general revenue fund.

23 SECTION 2. Chapter 202, Property Code, is amended by adding
24 Section 202.010 to read as follows:

1 Sec. 202.010. UNLAWFUL PROHIBITION OF POLITICAL SIGN. In
2 addition to other remedies provided by law, a property owner may
3 recover from a property owners' association that prohibits the
4 property owner from displaying a political sign or causes the
5 removal of the sign in violation of Section 202.009:

6 (1) a penalty in an amount of not less than \$500 or
7 more than \$1,000;

8 (2) actual damages caused by the property owners'
9 association;

10 (3) court costs; and

11 (4) reasonable attorney's fees.

12 SECTION 3. This Act takes effect September 1, 2011.