

By: Miles, Schaefer, Guillen

H.B. No. 274

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the enforcement of municipal rules, ordinances, or  
3 police regulations prohibiting illegal dumping; increasing a  
4 penalty.

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

6 SECTION 1. Section 54.001(b), Local Government Code, is  
7 amended to read as follows:

8 (b) A fine or penalty for the violation of a rule,  
9 ordinance, or police regulation may not exceed \$500 except that:

10 (1) [~~However,~~] a fine or penalty for the violation  
11 of a rule, ordinance, or police regulation that governs fire  
12 safety, zoning, or public health and sanitation, other than the  
13 [~~including~~] dumping of refuse, may not exceed \$2,000; and

14 (2) a fine or penalty for the violation of a rule,  
15 ordinance, or police regulation that governs the dumping of refuse  
16 may not exceed \$4,000.

17 SECTION 2. Section 29.003(a), Government Code, is amended  
18 to read as follows:

19 (a) A municipal court, including a municipal court of  
20 record, shall have exclusive original jurisdiction within the  
21 municipality's territorial limits and property owned by the  
22 municipality located in the municipality's extraterritorial  
23 jurisdiction in all criminal cases that:

24 (1) arise under:

1 (A) the ordinances of the municipality; or  
2 (B) a resolution, rule, or order of a joint board  
3 operating an airport under Section 22.074, Transportation Code; and

4 (2) are punishable by a fine not to exceed:

5 (A) \$2,000 in all cases arising under municipal  
6 ordinances or resolutions, rules, or orders of a joint board that  
7 govern fire safety, zoning, or public health and sanitation, other  
8 than the [~~including~~] dumping of refuse; [~~or~~]

9 (B) \$4,000 in cases arising under municipal  
10 ordinances that govern the dumping of refuse; or

11 (C) [~~B~~] \$500 in all other cases arising under a  
12 municipal ordinance or a resolution, rule, or order of a joint  
13 board.

14 SECTION 3. Article 4.14(a), Code of Criminal Procedure, is  
15 amended to read as follows:

16 (a) A municipal court, including a municipal court of  
17 record, shall have exclusive original jurisdiction within the  
18 territorial limits of the municipality in all criminal cases that:

19 (1) arise under the ordinances of the municipality;  
20 and

21 (2) are punishable by a fine not to exceed:

22 (A) \$2,000 in all cases arising under municipal  
23 ordinances that govern fire safety, zoning, or public health and  
24 sanitation, other than the [~~including~~] dumping of refuse; [~~or~~]

25 (B) \$4,000 in cases arising under municipal  
26 ordinances that govern the dumping of refuse; or

27 (C) [~~B~~] \$500 in all other cases arising under a

1 municipal ordinance.

2           SECTION 4. The change in law made by this Act applies only  
3 to an offense committed on or after the effective date of this Act.  
4 An offense committed before the effective date of this Act is  
5 governed by the law in effect when the offense was committed, and  
6 the former law is continued in effect for that purpose. For purposes  
7 of this section, an offense was committed before the effective date  
8 of this Act if any element of the offense was committed before that  
9 date.

10           SECTION 5. This Act takes effect September 1, 2015.