

1-1 By: Miles, Schaefer, Guillen (Senate Sponsor - Lucio) H.B. No. 274
 1-2 (In the Senate - Received from the House May 5, 2015;
 1-3 May 6, 2015, read first time and referred to Committee on
 1-4 Intergovernmental Relations; May 13, 2015, reported favorably by
 1-5 the following vote: Yeas 5, Nays 1; May 13, 2015, sent to printer.)

1-6 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-7 | X | | | |
| 1-8 | X | | | |
| 1-9 | X | | | |
| 1-10 | | X | | |
| 1-11 | X | | | |
| 1-12 | X | | | |
| 1-13 | | | X | |
| 1-14 | X | | | |

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to the enforcement of municipal rules, ordinances, or
 1-18 police regulations prohibiting illegal dumping; increasing a
 1-19 penalty.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 54.001(b), Local Government Code, is
 1-22 amended to read as follows:

1-23 (b) A fine or penalty for the violation of a rule,
 1-24 ordinance, or police regulation may not exceed \$500 except that:

1-25 (1) ~~[-. However,]~~ a fine or penalty for the violation
 1-26 of a rule, ordinance, or police regulation that governs fire
 1-27 safety, zoning, or public health and sanitation, other than the
 1-28 ~~[including]~~ dumping of refuse, may not exceed \$2,000; and

1-29 (2) a fine or penalty for the violation of a rule,
 1-30 ordinance, or police regulation that governs the dumping of refuse
 1-31 may not exceed \$4,000.

1-32 SECTION 2. Section 29.003(a), Government Code, is amended
 1-33 to read as follows:

1-34 (a) A municipal court, including a municipal court of
 1-35 record, shall have exclusive original jurisdiction within the
 1-36 municipality's territorial limits and property owned by the
 1-37 municipality located in the municipality's extraterritorial
 1-38 jurisdiction in all criminal cases that:

1-39 (1) arise under:

1-40 (A) the ordinances of the municipality; or

1-41 (B) a resolution, rule, or order of a joint board
 1-42 operating an airport under Section 22.074, Transportation Code; and

1-43 (2) are punishable by a fine not to exceed:

1-44 (A) \$2,000 in all cases arising under municipal
 1-45 ordinances or resolutions, rules, or orders of a joint board that
 1-46 govern fire safety, zoning, or public health and sanitation, other
 1-47 than the [including] dumping of refuse; [or]

1-48 (B) \$4,000 in cases arising under municipal
 1-49 ordinances that govern the dumping of refuse; or

1-50 (C) ~~[-(B)-]~~ \$500 in all other cases arising under a
 1-51 municipal ordinance or a resolution, rule, or order of a joint
 1-52 board.

1-53 SECTION 3. Article 4.14(a), Code of Criminal Procedure, is
 1-54 amended to read as follows:

1-55 (a) A municipal court, including a municipal court of
 1-56 record, shall have exclusive original jurisdiction within the
 1-57 territorial limits of the municipality in all criminal cases that:

1-58 (1) arise under the ordinances of the municipality;

1-59 and

1-60 (2) are punishable by a fine not to exceed:

1-61 (A) \$2,000 in all cases arising under municipal

2-1 ordinances that govern fire safety, zoning, or public health and
 2-2 sanitation, other than the [including] dumping of refuse; [or]
 2-3 (B) \$4,000 in cases arising under municipal
 2-4 ordinances that govern the dumping of refuse; or
 2-5 (C) [~~B~~] \$500 in all other cases arising under a
 2-6 municipal ordinance.

2-7 SECTION 4. The change in law made by this Act applies only
 2-8 to an offense committed on or after the effective date of this Act.
 2-9 An offense committed before the effective date of this Act is
 2-10 governed by the law in effect when the offense was committed, and
 2-11 the former law is continued in effect for that purpose. For purposes
 2-12 of this section, an offense was committed before the effective date
 2-13 of this Act if any element of the offense was committed before that
 2-14 date.

2-15 SECTION 5. This Act takes effect September 1, 2015.

2-16 * * * * *