



17 MAY 15 AM 9:02  
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: Stickland

1 Amend C.S.S.B. No. 312 (house committee report) as follows:

2 (1) Strike SECTION 30 of the bill (page 20, line 27, through  
3 page 21, line 4).

4 (2) On page 35, line 16, between "SECTION 51." and "The",  
5 insert "(a)".

6 (3) On page 35, line 17, between "Sections" and "2205.003,"  
7 insert "29.003(g),".

8 (4) On page 35, line 20, between "201.404(b-2)," and  
9 "550.061", insert "542.405, 542.406, 544.012,".

10 (5) On page 35, between lines 21 and 22, insert the  
11 following:

12 (b) Chapter 707, Transportation Code, is repealed.

13 (6) Add the following appropriately numbered SECTIONS to  
14 the bill:

15 SECTION \_\_\_\_\_. Section 542.2035, Transportation Code, is  
16 amended to read as follows:

17 Sec. 542.2035. AUTOMATED TRAFFIC CONTROL SYSTEMS  
18 PROHIBITED [LIMITATION ON MUNICIPALITIES]. (a) A local authority  
19 [~~municipality~~] may not implement or operate an automated traffic  
20 control system with respect to a highway or street under its  
21 jurisdiction [~~for the purpose of enforcing compliance with posted~~  
22 ~~speed limits~~]. The attorney general shall enforce this subsection.

23 (b) In this section, "automated traffic control system"  
24 means a system consisting of a photographic device, radar device,  
25 laser device, or other electrical or mechanical device that  
26 [~~designed to~~]:

27 (1) is capable of producing one or more recorded  
28 photographic or digital images depicting the license plate attached  
29 to the front or rear of a motor vehicle that is not operated in

1 compliance with a posted speed limit or the instructions of a  
2 traffic-control signal; and

3 (2) is used by the local authority to enforce  
4 compliance with a posted speed limit or the instructions of a  
5 traffic-control signal by imposition of a civil or administrative  
6 penalty against the owner or operator of the motor vehicle ~~[record~~  
7 ~~the speed of a motor vehicle, and~~

8 ~~[(2) obtain one or more photographs or other recorded~~  
9 ~~images of,~~

10 ~~[(A) the vehicle,~~

11 ~~[(B) the license plate attached to the vehicle,~~

12 ~~or~~

13 ~~[(C) the operator of the vehicle].~~

14 SECTION \_\_\_\_ . Section 27.031(a), Government Code, is amended  
15 to read as follows:

16 (a) In addition to the jurisdiction and powers provided by  
17 the constitution and other law, the justice court has original  
18 jurisdiction of:

19 (1) civil matters in which exclusive jurisdiction is  
20 not in the district or county court and in which the amount in  
21 controversy is not more than \$10,000, exclusive of interest;

22 (2) cases of forcible entry and detainer; and

23 (3) foreclosure of mortgages and enforcement of liens  
24 on personal property in cases in which the amount in controversy is  
25 otherwise within the justice court's jurisdiction~~[, and~~

26 ~~[(4) cases arising under Chapter 707, Transportation~~  
27 ~~Code, outside a municipality's territorial limits].~~

28 SECTION \_\_\_\_ . Section 780.003(b), Health and Safety Code, is  
29 amended to read as follows:

30 (b) The account is composed of money deposited to the credit  
31 of the account under ~~[Sections 542.406 and 707.008, Transportation~~

1 ~~Code, and under~~ Section 780.002 [~~of this code~~].

2 SECTION \_\_\_\_\_. Section 133.004, Local Government Code, as  
3 amended by Chapters 718 (H.B. 2359), 1027 (H.B. 1623), and 1149  
4 (S.B. 1119), Acts of the 80th Legislature, Regular Session, 2007,  
5 is reenacted and amended to read as follows:

6 Sec. 133.004. CIVIL FEES. This chapter applies to the  
7 following civil fees:

8 (1) the consolidated fee on filing in district court  
9 imposed under Section 133.151;

10 (2) the filing fee in district court for basic civil  
11 legal services for indigents imposed under Section 133.152;

12 (3) the filing fee in courts other than district court  
13 for basic civil legal services for indigents imposed under Section  
14 133.153;

15 (4) the filing fees for the judicial fund imposed in  
16 certain statutory county courts under Section 51.702, Government  
17 Code;

18 (5) the filing fees for the judicial fund imposed in  
19 certain county courts under Section 51.703, Government Code;

20 (6) the filing fees for the judicial fund imposed in  
21 [~~certain~~] statutory probate courts under Section 51.704,  
22 Government Code;

23 (7) fees collected under Section 118.015;

24 (8) marriage license fees for the family trust fund  
25 collected under Section 118.018;

26 (9) marriage license or declaration of informal  
27 marriage fees for the child abuse and neglect prevention trust fund  
28 account collected under Section 118.022; and

29 (10) the filing fee for the judicial fund imposed in  
30 district court, statutory county court, and county court under  
31 Section 133.154 [~~, and~~]

1           ~~[(11) the portion of the civil or administrative~~  
2 ~~penalty described by Section 542.406(c)(1), Transportation Code,~~  
3 ~~imposed by a local authority to enforce compliance with the~~  
4 ~~instructions of a traffic-control signal,~~

5           ~~[(11) the portion of the civil or administrative~~  
6 ~~penalty described by Section 707.008(a)(1), Transportation Code,~~  
7 ~~imposed by a local authority to enforce compliance with the~~  
8 ~~instructions of a traffic-control signal].~~

9           SECTION \_\_\_\_\_. (a) The repeal by this Act of Sections 542.405  
10 and 542.406 and Chapter 707, Transportation Code, does not affect  
11 the validity of a proceeding initiated or a civil penalty imposed  
12 under those provisions before the effective date of this Act. A  
13 proceeding initiated or a civil penalty imposed under those  
14 provisions before the effective date of this Act is governed by the  
15 applicable law in effect before the effective date of this Act, and  
16 the former law is continued in effect for that purpose.

17           (b) Notwithstanding the repeal by this Act of Sections  
18 542.405 and 542.406 and Chapter 707, Transportation Code, if before  
19 June 1, 2017, a local authority had enacted an ordinance under those  
20 provisions to implement a photographic traffic signal enforcement  
21 system and entered into a contract for the administration and  
22 enforcement of the system, the local authority may continue to  
23 operate the system under that ordinance and under the terms of that  
24 contract until the expiration date specified in the contract as the  
25 contract existed on June 1, 2017.

26           (7) Renumber the SECTIONS of the bill accordingly.