



17 MAY 15 AM 9:03
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Rinaldi

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12 (b) Chapter 707, Transportation Code, is repealed.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