

1-1 By: Stickland, et al. (Senate Sponsor - Hall) H.B. No. 1631  
 1-2 (In the Senate - Received from the House May 8, 2019;  
 1-3 May 10, 2019, read first time and referred to Committee on  
 1-4 Transportation; May 16, 2019, reported favorably by the following  
 1-5 vote: Yeas 6, Nays 2; May 16, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9			X	
1-10		X		
1-11	X			
1-12	X			
1-13	X			
1-14		X		
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to prohibiting the use of photographic traffic signal  
 1-20 enforcement systems.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. The heading to Chapter 707, Transportation Code,  
 1-23 is amended to read as follows:

1-24 CHAPTER 707. PHOTOGRAPHIC TRAFFIC SIGNAL  
 1-25 ENFORCEMENT SYSTEM PROHIBITED

1-26 SECTION 2. Chapter 707, Transportation Code, is amended by  
 1-27 adding Sections 707.020 and 707.021 to read as follows:

1-28 Sec. 707.020. PHOTOGRAPHIC TRAFFIC SIGNAL ENFORCEMENT  
 1-29 SYSTEM PROHIBITED. (a) Notwithstanding any other law, a local  
 1-30 authority may not implement or operate a photographic traffic  
 1-31 signal enforcement system with respect to a highway or street under  
 1-32 the jurisdiction of the authority.

1-33 (b) The attorney general shall enforce this section.

1-34 Sec. 707.021. USE OF EVIDENCE FROM PHOTOGRAPHIC TRAFFIC  
 1-35 SIGNAL ENFORCEMENT SYSTEM PROHIBITED. Notwithstanding any other  
 1-36 law, a local authority may not issue a civil or criminal charge or  
 1-37 citation for an offense or violation based on a recorded image  
 1-38 produced by a photographic traffic signal enforcement system.

1-39 SECTION 3. Section 27.031(a), Government Code, is amended  
 1-40 to read as follows:

1-41 (a) In addition to the jurisdiction and powers provided by  
 1-42 the constitution and other law, the justice court has original  
 1-43 jurisdiction of:

1-44 (1) civil matters in which exclusive jurisdiction is  
 1-45 not in the district or county court and in which the amount in  
 1-46 controversy is not more than \$10,000, exclusive of interest;

1-47 (2) cases of forcible entry and detainer; and

1-48 (3) foreclosure of mortgages and enforcement of liens  
 1-49 on personal property in cases in which the amount in controversy is  
 1-50 otherwise within the justice court's jurisdiction[ ~~, and~~

1-51 [~~(4) cases arising under Chapter 707, Transportation~~  
 1-52 ~~Code, outside a municipality's territorial limits].~~

1-53 SECTION 4. Section 780.003(b), Health and Safety Code, is  
 1-54 amended to read as follows:

1-55 (b) The account is composed of money deposited to the credit  
 1-56 of the account under the [~~Sections 542.406 and 707.008,~~  
 1-57 ~~Transportation Code[ , ] and under Section 780.002 of this code.~~

1-58 SECTION 5. Section 133.004, Local Government Code, as  
 1-59 amended by Chapters 718 (H.B. 2359), 1027 (H.B. 1623), and 1149  
 1-60 (S.B. 1119), Acts of the 80th Legislature, Regular Session, 2007,  
 1-61 is reenacted and amended to read as follows:

2-1           Sec. 133.004. CIVIL FEES. This chapter applies to the  
 2-2 following civil fees:  
 2-3           (1) the consolidated fee on filing in district court  
 2-4 imposed under Section 133.151;  
 2-5           (2) the filing fee in district court for basic civil  
 2-6 legal services for indigents imposed under Section 133.152;  
 2-7           (3) the filing fee in courts other than district court  
 2-8 for basic civil legal services for indigents imposed under Section  
 2-9 133.153;  
 2-10          (4) the filing fees for the judicial fund imposed in  
 2-11 certain statutory county courts under Section 51.702, Government  
 2-12 Code;  
 2-13          (5) the filing fees for the judicial fund imposed in  
 2-14 certain county courts under Section 51.703, Government Code;  
 2-15          (6) the filing fees for the judicial fund imposed in  
 2-16 statutory probate courts under Section 51.704, Government Code;  
 2-17          (7) fees collected under Section 118.015;  
 2-18          (8) marriage license fees for the family trust fund  
 2-19 collected under Section 118.018;  
 2-20          (9) marriage license or declaration of informal  
 2-21 marriage fees for the child abuse and neglect prevention trust fund  
 2-22 account collected under Section 118.022; and  
 2-23          (10) the filing fee for the judicial fund imposed in  
 2-24 district court, statutory county court, and county court under  
 2-25 Section 133.154[ ~~and~~  
 2-26 ~~[(11) the portion of the civil or administrative~~  
 2-27 ~~penalty described by Section 542.406(c)(1), Transportation Code,~~  
 2-28 ~~imposed by a local authority to enforce compliance with the~~  
 2-29 ~~instructions of a traffic-control signal,~~  
 2-30 ~~[(11) the portion of the civil or administrative~~  
 2-31 ~~penalty described by Section 707.008(a)(1), Transportation Code,~~  
 2-32 ~~imposed by a local authority to enforce compliance with the~~  
 2-33 ~~instructions of a traffic-control signal].~~  
 2-34          SECTION 6. The following are repealed:  
 2-35           (1) Section 29.003(g), Government Code;  
 2-36           (2) Sections 542.405, 542.406, and 544.012,  
 2-37 Transportation Code; and  
 2-38           (3) Sections 707.001(2), 707.002, 707.0021, 707.003,  
 2-39 707.004, 707.005, 707.006, 707.007, 707.008, 707.009, 707.010,  
 2-40 707.011, 707.012, 707.013, 707.014, 707.015, 707.016, 707.017,  
 2-41 707.018, and 707.019, Transportation Code.  
 2-42          SECTION 7. (a) Notwithstanding any provision of this Act to  
 2-43 the contrary, if before May 7, 2019, a local authority had enacted  
 2-44 an ordinance to implement a photographic traffic signal enforcement  
 2-45 system under Sections 542.405 and 542.406, Transportation Code, or  
 2-46 Chapter 707, Transportation Code, and entered into a contract for  
 2-47 the administration and enforcement of the system:  
 2-48           (1) the local authority may continue to operate the  
 2-49 system under that ordinance and under the terms of that contract  
 2-50 until the expiration date specified in the contract as the contract  
 2-51 existed on May 7, 2019; and  
 2-52           (2) the photographic traffic signal enforcement  
 2-53 system, and any proceeding initiated or civil or administrative  
 2-54 penalty imposed after the effective date of this Act are governed by  
 2-55 the applicable law in effect immediately before the effective date  
 2-56 of this Act, and the former law is continued in effect for that  
 2-57 purpose.  
 2-58           (b) Subsection (a) of this section does not apply to a  
 2-59 contract for the administration and enforcement of a photographic  
 2-60 traffic signal enforcement system entered into before May 7, 2019,  
 2-61 that authorizes termination of the contract on the basis of adverse  
 2-62 state legislation.  
 2-63           (c) Neither the Texas Department of Motor Vehicles nor a  
 2-64 county assessor-collector may refuse to register a motor vehicle  
 2-65 alleged to have been involved in a violation of former Chapter 707,  
 2-66 Transportation Code, solely because the owner of the motor vehicle  
 2-67 is delinquent in the payment of a civil penalty imposed under that  
 2-68 chapter as permitted under Subsection (a) of this section.  
 2-69          SECTION 8. This Act takes effect immediately if it receives

3-1 a vote of two-thirds of all the members elected to each house, as  
3-2 provided by Section 39, Article III, Texas Constitution. If this  
3-3 Act does not receive the vote necessary for immediate effect, this  
3-4 Act takes effect September 1, 2019.

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