

By: Wray

H.B. No. 4484

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting the use of photographic traffic signal enforcement systems.

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

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

CHAPTER 707. PHOTOGRAPHIC TRAFFIC SIGNAL

ENFORCEMENT SYSTEM PROHIBITED

SECTION 2. Chapter 707, Transportation Code, is amended by adding Sections 707.020, 707.021, and 707.022 to read as follows:

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

(b) The attorney general shall enforce this section.

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

Sec. 707.022. SCHOOL BUS USE EXCEPTED. This chapter does not apply to a photographic traffic signal enforcement system that is capable of taking photographic or digital images of vehicles

1 that pass a school bus if:

2 (1) the system is used only for the prosecution of a
3 criminal offense; and

4 (2) a person who is cited for a criminal offense as a
5 result of evidence obtained by the system is authorized to contest
6 the citation in court.

7 SECTION 3. Section 27.031(a), Government Code, is amended
8 to read as follows:

9 (a) In addition to the jurisdiction and powers provided by
10 the constitution and other law, the justice court has original
11 jurisdiction of:

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

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

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

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

21 SECTION 4. Section 780.003(b), Health and Safety Code, is
22 amended to read as follows:

23 (b) The account is composed of money deposited to the credit
24 of the account under the [~~Sections 542.406 and 707.008,~~
25 Transportation Code~~7~~] and under Section 780.002 of this code.

26 SECTION 5. Section 133.004, Local Government Code, as
27 amended by Chapters 718 (H.B. 2359), 1027 (H.B. 1623), and 1149

(S.B. 1119), Acts of the 80th Legislature, Regular Session, 2007,
is reenacted and amended to read as follows:

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

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

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

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

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

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

(6) the filing fees for the judicial fund imposed in
statutory probate courts under Section 51.704, Government Code;

(7) fees collected under Section 118.015;

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

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

(10) the filing fee for the judicial fund imposed in
district court, statutory county court, and county court under
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 6. The following are repealed:

10 (1) Section 29.003(g), Government Code;

11 (2) Sections 542.405, 542.406, and 544.012,
12 Transportation Code; and

13 (3) Sections 707.001(2), 707.002, 707.0021, 707.003,
14 707.004, 707.005, 707.006, 707.007, 707.008, 707.009, 707.010,
15 707.011, 707.012, 707.013, 707.014, 707.015, 707.016, 707.017,
16 707.018, and 707.019, Transportation Code.

17 SECTION 7. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2019.