

1-1 By: Murr, et al. (Senate Sponsor - Buckingham) H.B. No. 3584
 1-2 (In the Senate - Received from the House May 12, 2021;
 1-3 May 14, 2021, read first time and referred to Committee on Natural
 1-4 Resources & Economic Development; May 21, 2021, reported favorably
 1-5 by the following vote: Yeas 9, Nays 0; May 21, 2021, sent to
 1-6 printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
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	X			

1-18 A BILL TO BE ENTITLED
 1-19 AN ACT

1-20 relating to monuments, markers, medallions, and antiquities
 1-21 controlled by or in the custody of the Texas Historical Commission;
 1-22 authorizing civil penalties.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 442.006, Government Code, is amended by
 1-25 adding Subsections (i) and (j) to read as follows:

1-26 (i) Notwithstanding any other law, a monument, marker, or
 1-27 medallion installed by the commission is state property solely
 1-28 under the commission's custody and control and may not be altered,
 1-29 removed, relocated, covered, obscured, or concealed without the
 1-30 express written permission of the commission.

1-31 (j) The attorney general may file suit in district court to
 1-32 seek civil penalties in accordance with Section 442.011 and
 1-33 equitable relief in accordance with Section 442.012 against a
 1-34 person who violates this section. Governmental immunity to suit of
 1-35 any county, municipality, or other political subdivision is waived
 1-36 and abolished to the extent liability is created by this section.

1-37 SECTION 2. Section 442.011, Government Code, is amended to
 1-38 read as follows:

1-39 Sec. 442.011. PENALTY. A person who violates this chapter
 1-40 or Chapter 191, Natural Resources Code, is subject to a civil
 1-41 penalty of not less than \$50 nor more than \$1,000 for each day of
 1-42 violation. Each day a violation continues may be considered a
 1-43 separate violation. If the party seeking a civil penalty
 1-44 demonstrates the same violation occurred on more than one day, it is
 1-45 presumed that the person committed a violation on each intervening
 1-46 day between the days of violation, including the days on which a
 1-47 violation was demonstrated.

1-48 SECTION 3. This Act takes effect September 1, 2021.

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