

By: Miles
(Ramos)

S.B. No. 355

Substitute the following for S.B. No. 355:

By: Ortega

C.S.S.B. No. 355

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the civil penalty for certain signs placed on the
3 right-of-way of a public road.

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

5 SECTION 1. Sections 393.007(a) and (b), Transportation
6 Code, are amended to read as follows:

7 (a) A person who places ~~[or]~~ commissions the placement of
8 or whose commercial advertisement is placed on a sign on the
9 right-of-way of a public road that is not otherwise authorized by
10 law may be liable for a civil penalty. A district or county
11 attorney or a municipal attorney in the jurisdiction in which the
12 placement of a sign on the right-of-way of a public road is alleged
13 to have occurred may sue to collect the penalty.

14 (b) The amount of the civil penalty may not exceed:

15 (1) [is not less than \$500 or more than] \$1,000 for a
16 first [each] violation;

17 (2) \$2,500 for a second violation; and

18 (3) \$5,000 for a third or subsequent violation~~[~~
19 ~~depending on the seriousness of the violation and whether the~~
20 ~~person has previously violated this chapter. A separate penalty~~
21 ~~may be collected for each day a continuing violation occurs].~~

22 SECTION 2. The change in law made by this Act applies only
23 to a violation that occurs on or after the effective date of this
24 Act. A violation that occurs before the effective date of this Act

1 is governed by the law in effect on the date the violation occurred,
2 and the former law is continued in effect for that purpose. For
3 purposes of this section, a violation occurs before the effective
4 date of this Act if any element of the violation occurs before that
5 date.

6 SECTION 3. This Act takes effect September 1, 2021.