

BILL ANALYSIS

Senate Research Center
88R893 CXP-D

S.B. 190
By: Miles
Transportation
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Illegal signage can negatively impact the quality of life in neighborhoods throughout Texas. Although there have been efforts to target "bandit signs," offending operators simply claim they did not place the signs or just pay associated fines as a cost of doing business. There have been calls for stricter enforcement to address this ongoing issue.

S.B. 190 seeks to provide for increased civil penalties for the illegal placement of a commercial sign on a public road right-of-way. Furthermore, the bill adds legal responsibility to businesses advertised on a sign. These additions may more effectively combat illegal signage while creating incentives for compliance.

As proposed, S.B. 190 amends current law relating to the civil penalty for certain signs placed on the right-of-way of a public road.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 393.007(a) and (b), Transportation Code, as follows:

(a) Provides that a person who places or commissions the placement of or whose commercial advertisement is placed on a sign on the right-of-way of a public road that is not otherwise authorized by law may be liable for a civil penalty.

(b) Prohibits the amount of the civil penalty from exceeding \$1,000 for a first violation, \$2,500 for a second violation, and \$5,000 for a third or subsequent violation. Deletes existing text providing that the amount of civil penalty is not less than \$500 or more than \$1,000 for each violation, depending on the seriousness of the violation and whether the person has previously violated Chapter 893 (Outdoor Signs on Public Rights-of-Way). Deletes existing text authorizing a separate penalty to be collected for each day a continuing violation occurs.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2023.