

By: Thierry

H.B. No. 1863

A BILL TO BE ENTITLED

AN ACT

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

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

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

(a) 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. A district or county attorney or a municipal attorney in the jurisdiction in which the placement of a sign on the right-of-way of a public road is alleged to have occurred may sue to collect the penalty.

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

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

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

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

SECTION 2. The change in law made by this Act applies only to a violation that occurs on or after the effective date of this 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, 2023.