

By: Curry, Simmons, Perez of Harris,
Craddick, Rose, et al.

H.B. No. 3611

Substitute the following for H.B. No. 3611:

By: Curry

C.S.H.B. No. 3611

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. Section 393.001, Transportation Code, is amended
to read as follows:

Sec. 393.001. DEFINITIONS [~~DEFINITION~~]. In this chapter:

(1) "Person" includes a person's employee, agent,
independent contractor, assignee, business alter ego, and
successor in interest.

(2) "Sign" [~~,"sign"~~] means an outdoor sign, display,
light, device, figure, painting, drawing, message, plaque, poster,
or other thing designed, intended, or used to advertise or inform.

SECTION 2. Section 393.007, Transportation Code, is amended
by amending Subsections (a) and (b) and adding Subsection (a-1) 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, provided that, for a person's
first violation:

(1) the applicable political subdivision provides
written notice to the person that the person may be liable for a
civil penalty if the person fails to remove the sign within a

1 specified period; and

2 (2) the person fails to remove the sign within the
3 specified period.

4 (a-1) A district or county attorney or a municipal attorney
5 in the jurisdiction in which the placement of a sign on the
6 right-of-way of a public road is alleged to have occurred may sue to
7 collect the penalty.

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

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

11 (2) \$2,500 for a second violation; and

12 (3) \$5,000 for a third or subsequent violation[
13 ~~depending on the seriousness of the violation and whether the~~
14 ~~person has previously violated this chapter. A separate penalty~~
15 ~~may be collected for each day a continuing violation occurs].~~

16 SECTION 3. The change in law made by this Act applies only
17 to a violation that occurs on or after the effective date of this
18 Act. A violation that occurs before the effective date of this Act
19 is governed by the law in effect on the date the violation occurred,
20 and the former law is continued in effect for that purpose. For
21 purposes of this section, a violation occurs before the effective
22 date of this Act if any element of the violation occurs before that
23 date.

24 SECTION 4. This Act takes effect September 1, 2025.