

BILL ANALYSIS

Senate Research Center
79R4476 JTS-D

H.B. 1345
By: Gattis (Wentworth)
Intergovernmental Relations
5/15/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current law prohibits placing or maintaining a sign on a state highway right-of-way unless it is authorized by law. The Texas Department of Transportation (TxDOT) has authority to pick up illegal road signs, also called "bandit" signs.

H.B. 1345 authorizes local law enforcement agencies to remove these illegal signs and collect a fine of \$25. This bill requires that the collected money be deposited in the respective municipal or county treasury.

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 Subchapter B, Chapter 392, Transportation Code, by adding Section 392.039, as follows:

Sec. 392.039. REMOVAL BY LOCAL LAW ENFORCEMENT AGENCY. (a) Defines "local law enforcement agency."

(b) Authorizes a local law enforcement agency, without prior notice to the owner of the sign, to remove certain signs.

(c) Authorizes a local law enforcement agency that removes a sign under this section to impose and collect from the owner of the sign a removal fee of \$25. Requires a fee collected under this subsection to be deposited in the municipal or county treasury, as appropriate.

(d) Requires a local law enforcement agency that removes a sign to give notice to the owner of the sign as required of the Texas Department of Transportation by Section 392.033(b) (Removal and Disposal of Illegal Sign) and authorizes the agency to dispose of the sign as permitted by Section 392.033(c).

SECTION 2. Effective date: September 1, 2005.