

BILL ANALYSIS

Senate Research Center
87R18604 CXP-D

C.S.S.B. 355
By: Miles
Transportation
4/7/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Illegal signage has the capability of bringing down the quality of life in neighborhoods all throughout Texas. Although there have been efforts in targeting "bandit signs," some operators claim they did not place the signs or just pay associated fines as a cost of doing business. More changes are needed to address this ongoing issue.

S.B. 355 increases the civil penalty for the placement of a sign on a right-of-way public road to \$10,000 for each violation. Furthermore, the bill adds legal responsibility to persons or businesses who also "use or benefit from the placement of the sign." These additions may more effectively combat illegal signage while creating incentives for compliance.

Support for this bill may come from highly impacted cities such as the City of Houston. Despite initiatives, the City of Houston still confiscates an average of 3,174 bandit signs, issues 25 citations, and receives 87 reports of signs per month.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 355 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, 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. Makes nonsubstantive changes.

(b) Provides that the amount of the civil penalty is not less than \$500 or more than \$1,000 for a first violation, is \$5,000 for a second violation, and is \$10,000 for a third or subsequent violation. Deletes existing text providing that the amount of the 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 393 (Outdoor Signs on Public Rights-of-Way). Deletes existing text authorizing a separate penalty to be collected for each day a continuing violation occurs. Makes nonsubstantive changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2021.