

BILL ANALYSIS

Senate Research Center
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S.B. 1204
By: Cain
State Affairs
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As Filed

DIGEST

Currently, laws regulating trespassing regarding billboards are unclear on the issue of a new landowner of the property on which the billboard exists. For example, when the property on which the billboard sits has changed hands and the new owner is not being paid, the law is retroactive to when the billboard was originally maintained. Additionally, a situation can arise wherein a new landowner may wait several years before demanding payment from the billboard owner. S.B. 1204 clarifies the notification responsibilities by reestablishing official trespassing descriptions regarding outdoor sign premises, and creates justification for recovery of damages for trespassing.

PURPOSE

As proposed, S.B. 1204 reestablishes official trespassing descriptions regarding outdoor sign premises, and creates justification for recovery of damages for trespassing.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 80.002 and 80.003, Civil Practice and Remedies Code, to redescribe "trespass," and entitles an owner to payments, rather than all payments and benefits, received by or accruing, rather than owing, the owner of a sign, after a certain deadline. Sets forth conditions for recovery of damages, and prohibits unauthorized damage recovery.

SECTION 2. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 3. Emergency clause.