

1 AN ACT

2 relating to prohibiting the use of photographic traffic signal
3 enforcement systems.

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

5 SECTION 1. The heading to Chapter 707, Transportation Code,
6 is amended to read as follows:

7 CHAPTER 707. PHOTOGRAPHIC TRAFFIC SIGNAL

8 ENFORCEMENT SYSTEM PROHIBITED

9 SECTION 2. Chapter 707, Transportation Code, is amended by
10 adding Sections 707.020 and 707.021 to read as follows:

11 Sec. 707.020. PHOTOGRAPHIC TRAFFIC SIGNAL ENFORCEMENT
12 SYSTEM PROHIBITED. (a) Notwithstanding any other law, a local
13 authority may not implement or operate a photographic traffic
14 signal enforcement system with respect to a highway or street under
15 the jurisdiction of the authority.

16 (b) The attorney general shall enforce this section.

17 Sec. 707.021. USE OF EVIDENCE FROM PHOTOGRAPHIC TRAFFIC
18 SIGNAL ENFORCEMENT SYSTEM PROHIBITED. Notwithstanding any other
19 law, a local authority may not issue a civil or criminal charge or
20 citation for an offense or violation based on a recorded image
21 produced by a photographic traffic signal enforcement system.

22 SECTION 3. Section 27.031(a), Government Code, is amended
23 to read as follows:

24 (a) In addition to the jurisdiction and powers provided by

1 the constitution and other law, the justice court has original
2 jurisdiction of:

3 (1) civil matters in which exclusive jurisdiction is
4 not in the district or county court and in which the amount in
5 controversy is not more than \$10,000, exclusive of interest;

6 (2) cases of forcible entry and detainer; and

7 (3) foreclosure of mortgages and enforcement of liens
8 on personal property in cases in which the amount in controversy is
9 otherwise within the justice court's jurisdiction[~~, and~~

10 [~~(4) cases arising under Chapter 707, Transportation~~
11 ~~Code, outside a municipality's territorial limits].~~

12 SECTION 4. Section 780.003(b), Health and Safety Code, is
13 amended to read as follows:

14 (b) The account is composed of money deposited to the credit
15 of the account under the [~~Sections 542.406 and 707.008,~~
16 Transportation Code~~]~~ and under Section 780.002 of this code.

17 SECTION 5. Section 133.004, Local Government Code, as
18 amended by Chapters 718 (H.B. 2359), 1027 (H.B. 1623), and 1149
19 (S.B. 1119), Acts of the 80th Legislature, Regular Session, 2007,
20 is reenacted and amended to read as follows:

21 Sec. 133.004. CIVIL FEES. This chapter applies to the
22 following civil fees:

23 (1) the consolidated fee on filing in district court
24 imposed under Section 133.151;

25 (2) the filing fee in district court for basic civil
26 legal services for indigents imposed under Section 133.152;

27 (3) the filing fee in courts other than district court

1 for basic civil legal services for indigents imposed under Section
2 133.153;

3 (4) the filing fees for the judicial fund imposed in
4 certain statutory county courts under Section 51.702, Government
5 Code;

6 (5) the filing fees for the judicial fund imposed in
7 certain county courts under Section 51.703, Government Code;

8 (6) the filing fees for the judicial fund imposed in
9 statutory probate courts under Section 51.704, Government Code;

10 (7) fees collected under Section 118.015;

11 (8) marriage license fees for the family trust fund
12 collected under Section 118.018;

13 (9) marriage license or declaration of informal
14 marriage fees for the child abuse and neglect prevention trust fund
15 account collected under Section 118.022; and

16 (10) the filing fee for the judicial fund imposed in
17 district court, statutory county court, and county court under
18 Section 133.154[~~, and~~

19 [~~(11) the portion of the civil or administrative
20 penalty described by Section 542.406(c)(1), Transportation Code,
21 imposed by a local authority to enforce compliance with the
22 instructions of a traffic-control signal,~~

23 [~~(11) the portion of the civil or administrative
24 penalty described by Section 707.008(a)(1), Transportation Code,
25 imposed by a local authority to enforce compliance with the
26 instructions of a traffic-control signal]~~].

27 SECTION 6. The following are repealed:

1 (1) Section 29.003(g), Government Code;

2 (2) Sections 542.405, 542.406, and 544.012,
3 Transportation Code; and

4 (3) Sections 707.001(2), 707.002, 707.0021, 707.003,
5 707.004, 707.005, 707.006, 707.007, 707.008, 707.009, 707.010,
6 707.011, 707.012, 707.013, 707.014, 707.015, 707.016, 707.017,
7 707.018, and 707.019, Transportation Code.

8 SECTION 7. (a) Notwithstanding any provision of this Act to
9 the contrary, if before May 7, 2019, a local authority had enacted
10 an ordinance to implement a photographic traffic signal enforcement
11 system under Sections 542.405 and 542.406, Transportation Code, or
12 Chapter 707, Transportation Code, and entered into a contract for
13 the administration and enforcement of the system:

14 (1) the local authority may continue to operate the
15 system under that ordinance and under the terms of that contract
16 until the expiration date specified in the contract as the contract
17 existed on May 7, 2019; and

18 (2) the photographic traffic signal enforcement
19 system, and any proceeding initiated or civil or administrative
20 penalty imposed after the effective date of this Act are governed by
21 the applicable law in effect immediately before the effective date
22 of this Act, and the former law is continued in effect for that
23 purpose.

24 (b) Subsection (a) of this section does not apply to a
25 contract for the administration and enforcement of a photographic
26 traffic signal enforcement system entered into before May 7, 2019,
27 that authorizes termination of the contract on the basis of adverse

1 state legislation.

2 (c) Neither the Texas Department of Motor Vehicles nor a
3 county assessor-collector may refuse to register a motor vehicle
4 alleged to have been involved in a violation of former Chapter 707,
5 Transportation Code, solely because the owner of the motor vehicle
6 is delinquent in the payment of a civil penalty imposed under that
7 chapter as permitted under Subsection (a) of this section.

8 SECTION 8. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I certify that H.B. No. 1631 was passed by the House on May 8, 2019, by the following vote: Yeas 109, Nays 34, 3 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1631 was passed by the Senate on May 17, 2019, by the following vote: Yeas 23, Nays 8.

Secretary of the Senate

APPROVED: _____

Date

Governor