

CHAPTER 513

S.B. No. 1280

An Act relating to civil liabilities of the owner of a sign for trespasses on the premises of another; defining trespasses.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. DEFINITIONS. In this Act "sign" means an outdoor structure, sign, display, light device, figure, painting, drawing, message, plaque, poster, billboard, or other thing that is designed, intended, or used to advertise or inform.

SECTION 2. TRESPASS. A trespass occurs when:

(1) an individual erects, places, or maintains a sign on premises within this state without the permission of the owner of the premises; or

(2) an individual fails to remove or abandons a sign upon the expiration or termination of an agreement with the owner of the premises for the erection, placement, or maintenance of a sign on the premises.

SECTION 3. DAMAGES. The owner of the premises is entitled to damages in the amount of all payments and benefits received or owing to the owner of the sign from the rental, sale, lease, or other use of the sign during the period of the trespass.

SECTION 4. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on May 9, 1985, by the following vote: Yeas 31, Nays 0; passed the House on May 24, 1985, by the following vote: Yeas 147, Nays 1, one present not voting.

Approved: June 12, 1985

Effective: Immediately