

## **BILL ANALYSIS**

C.S.H.B. 623  
By: Harless  
State Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Day spa massage establishments operate in many unincorporated areas in Texas and, while some of these establishments provide legitimate massage services, many are fronts for illegal activities, such as prostitution and human trafficking. The state does not limit the hours these businesses can operate and many remain open late into the night.

When law enforcement officers try to investigate these businesses, they are often blocked by locked doors that can only be opened if the officers are buzzed in by a person inside the establishment. This impedes an officer's ability to investigate and makes it possible for someone committing an illegal act to escape detection.

C.S.H.B. 623 establishes the permissible hours of operation for a massage establishment located in a county with a population of at least 3.3 million, with certain exceptions, and prohibits the entrance doors of such an establishment from being equipped with an electronic locking device that can be temporarily disengaged from a remote location.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 623 amends the Occupations Code to allow a massage establishment located in a county with a population of at least 3.3 million to provide services only between the hours of 7 a.m. and 10 p.m. unless, on application by the establishment, the commissioners court of the county in which the establishment is located exempts the establishment from this restriction. The bill prohibits the entrance doors to such an establishment from being equipped with an electronic locking device that can be temporarily disengaged from a remote location.

### **EFFECTIVE DATE**

September 1, 2009.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 623 adds a provision not in the original to make provisions of the bill applicable only to a massage establishment located in a county with a population of at least 3.3 million.

C.S.H.B. 623 adds a provision not in the original to authorize the commissioners court in such a county in which a massage establishment is located to exempt such an establishment from the restrictions on its hours of operation.

C.S.H.B. 623 differs from the original by prohibiting the entrance doors to an establishment from being equipped with an electronic locking device that can be temporarily disengaged from a remote location, whereas the original requires the entrance doors to remain unlocked during business hours.