

BILL ANALYSIS

H.B. 2683
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The number of sexually oriented businesses operating without permits has dramatically increased. Sexually oriented businesses are often involved in illegal activities such as prostitution and narcotics, and efforts by law enforcement to investigate such illegal activities require significant resources. Designating the operation of a sexually oriented business without a permit a common nuisance will allow municipalities to enjoin the location for one year, regardless of the manner in which it was operated, and will prevent the owner or operator of the property from transferring the business and property to a third party during the one-year injunction.

H.B. 2683 establishes that a person who maintains a sexually oriented business without obtaining a license or permit required by a municipality or county in which the business is located maintains a common nuisance.

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

H.B. 2683 amends the Civil Practice and Remedies Code to establish that a person who maintains a sexually oriented business, as described by provisions of the Local Government Code, without obtaining a license or permit required by a municipality or county in which the business is located maintains a common nuisance.

EFFECTIVE DATE

September 1, 2009.