

## **BILL ANALYSIS**

C.S.S.B. 709  
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Judiciary & Civil Jurisprudence  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Under current law, the office of the attorney general, a city, county, or district attorney, or an individual is authorized sue to prohibit the operation of a common nuisance. A common nuisance is defined as a place where certain criminal activities habitually take place.

C.S.S.B. 709 adds to the list of activities that constitute maintaining 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**

C.S.S.B. 709 reenacts and amends Section 125.0015, Civil Practice and Remedies Code, as amended by Chapters 593 (H.B. 8) and 1399 (H.B. 2644), Acts of the 80th Legislature, Regular Session, 2007, to add employing a minor at a sexually oriented business, trafficking of persons, sexual conduct or performance by a child, and employment harmful to children to the list of activities that constitute maintaining a common nuisance. The bill establishes that a person maintains a common nuisance if the person maintains a sexually oriented business without obtaining a license or permit required by a municipality or county in which the business is located.

### **EFFECTIVE DATE**

September 1, 2009.

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

C.S.S.B. 709 adds a provision not included in the original establishing that a person maintains a common nuisance if the person maintains a sexually oriented business without the required license or permit.