By: Carona

S.B. No. 1307

A BILL TO BE ENTITLED 1 AN ACT 2 relating to activities that constitute common nuisance. 3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS: SECTION 1. Section 125.0015(a), Civil Practice and Remedies 4 5 Code, as amended by Chapters 593 (H.B. 8) and 1399 (H.B. 2644), Acts of the 80th Legislature, Regular Session, 2007, is reenacted and 6 7 amended to read as follows: (a) A person who maintains a place to which persons 8 9 habitually go for the following purposes and who knowingly tolerates the activity and furthermore fails to make reasonable 10 11 attempts to abate the activity maintains a common nuisance: 12 (1) discharge of a firearm in a public place as prohibited by the Penal Code; 13 14 (2) reckless discharge of a firearm as prohibited by the Penal Code; 15 16 (3) engaging in organized criminal activity as а 17 member of a combination as prohibited by the Penal Code; 18 (4) delivery, possession, manufacture, or use of a controlled substance in violation of Chapter 481, Health and Safety 19 20 Code; 21 (5) gambling, gambling promotion, or communicating 22 gambling information as prohibited by the Penal Code; 23 (6) prostitution, promotion of prostitution, or 24 aggravated promotion of prostitution as prohibited by the Penal

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1	(A) in a sexually oriented commercial activity;
2	or
3	(B) in a place of business permitting,
4	requesting, or requiring a child to work nude or topless.
5	SECTION 2. The change in law made by this Act applies only
6	to a cause of action that accrues on or after the effective date of
7	this Act. A cause of action that accrues before the effective date
8	of this Act is governed by the law in effect immediately before that
9	date, and that law is continued in effect for that purpose.
10	SECTION 3. This Act takes effect September 1, 2009.