

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**May 22, 2009**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB3094** by Harless (Relating to the regulation of massage parlors by counties; providing penalties. ), **Committee Report 2nd House, Substituted**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would add Subchapter D to Chapter 234, Local Government Code, to authorize the commissioners court of a county by order to prohibit or otherwise regulate massage parlors located in the unincorporated area of the county. The bill would allow a district or county attorney to bring suit to enjoin the operation of a massage parlor in violation or threatened violation if the parlor has previously violated the prohibition or other regulation. The county could also impose a civil penalty of not more than \$1,000 for each violation. A criminal penalty would apply and would be a Class A misdemeanor.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JOB, ESi, DB