

## **BILL ANALYSIS**

H.B. 289  
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Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Under current law, the office of the attorney general, a city, county, or district attorney, or an individual is authorized to sue to prohibit the operation of a common nuisance. A common nuisance is defined as a place where certain criminal activities habitually take place. H.B. 289 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**

H.B. 289 amends the Civil Practice and Remedies Code to add employing a minor at a sexually oriented business as defined by the Local Government Code, trafficking of persons as described by the Penal Code, sexual conduct or performance by a child as described by the Penal Code, or employment harmful to a child as described by the Penal Code to the activities that constitute maintaining a common nuisance by a person who maintains a place to which persons habitually go for purposes of such activities and who knowingly tolerates the activity and furthermore fails to make reasonable attempts to abate the activity.

### **EFFECTIVE DATE**

September 1, 2011.