

Amend CSHB 240 (senate committee printing) as follows:

(1) Add the following appropriately numbered SECTIONS to the bill:

SECTION _____. Subchapter A, Chapter 125, Civil Practice and Remedies Code, is amended by adding Section 125.0017 to read as follows:

Sec. 125.0017. NOTICE OF ARREST FOR CERTAIN ACTIVITIES. If a law enforcement agency makes an arrest related to an activity described by Section 125.0015(a)(6), (7), or (18) that occurs at property leased to a person operating a massage establishment as defined by Section 455.001, Occupations Code, not later than the 14th day after the date of the arrest, the law enforcement agency may provide written notice by certified mail to each person maintaining the property of the arrest.

SECTION _____. Section 125.004, Civil Practice and Remedies Code, as amended by this Act, applies only to a cause of action that accrues on or after the effective date of this Act. A cause of action that accrues before the effective date of this Act is governed by the law applicable to the cause of action immediately before the effective date of this Act, and that law is continued in effect for that purpose.

(2) In the recital to SECTION 1 of the bill amending Section 125.004, Civil Practice and Remedies Code (page 1, line 24), between the comma and "and", insert "(a-3),".

(3) In the recital to SECTION 1 of the bill amending Section 125.004, Civil Practice and Remedies Code (page 1, line 24), between "(e)" and "to", insert "and amending Subsection (d)".

(4) In SECTION 1 of the bill, in added Section 125.004(a-1), Civil Practice and Remedies Code (page 1, line 30), between "services" and "is", insert "after notice of an arrest was provided to the defendant in accordance with Section 125.0017".

(5) In SECTION 1 of the bill, in added Section 125.004(a-2), Civil Practice and Remedies Code (page 1, lines 33-34), between "defendant" and "is", insert "after notice of an arrest was provided to the defendant in accordance with Section 125.0017".

(6) In SECTION 1 of the bill, between added Sections 125.004(a-2) and (e), Civil Practice and Remedies Code (page 1,

between lines 37 and 38), insert the following:

(a-3) For purposes of Subsections (a-1) and (a-2), notice is only considered to be provided to the defendant seven days after the postmark date of the notice provided under Section 125.0017.

(d) Notwithstanding Subsection (a), (a-1), or (a-2), evidence that the defendant, the defendant's authorized representative, or another person acting at the direction of the defendant or the defendant's authorized representative requested law enforcement or emergency assistance with respect to an activity at the place where the common nuisance is allegedly maintained is not admissible for the purpose of showing the defendant tolerated the activity or failed to make reasonable attempts to abate the activity alleged to constitute the nuisance but may be admitted for other purposes, such as showing that a crime listed in Section 125.0015 occurred. Evidence that the defendant refused to cooperate with law enforcement or emergency services with respect to the activity is admissible. The posting of a sign prohibiting the activity alleged is not conclusive evidence that the owner did not tolerate the activity.

(7) Renumber the SECTIONS of the bill appropriately.