

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

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 25, 2017**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB240** by Hernandez (Relating to evidence in a suit to abate certain common nuisances.),  
**As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Civil Practice and Remedies Code to allow proof in the form of a person's arrest or the testimony of a law enforcement agent that certain common nuisances were committed at a place licensed as a massage establishment is prima facie evidence that the defendant knowingly tolerated the activity and did not make a reasonable attempt to abate the activity after notice of the arrest is provided to the defendant. Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

The bill would authorize local law enforcement agencies to provide written notice by certified mail to the property owner

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council

**LBB Staff:** UP, KJo, MW, GDz, FR, LBO, SLE