

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 13, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB240 by Hernandez (Relating to evidence in a suit to abate certain common nuisances and to notice of certain arrests.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Civil Practice and Remedies Code to authorize a person bringing a suit that concerns massage therapy or other massage services to request a landowner or landlord of the place where the nuisance is alleged to have occurred to provide the contact information of the business or the owner of the business. The bill would require a law enforcement agency making an arrest related to prostitution at a massage establishment to provide written notice by certified mail to the property owner of the arrest. The bill would also allow proof that massage services occur at an unlicensed facility to serve as evidence that the defendant knowingly tolerated the activity and that the facility is habitually used for the activity following notification to the landowner of the arrest. This estimate assumes duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

The bill would require 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