

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 19, 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.),
Committee Report 2nd House, Substituted

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. 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 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