

BILL ANALYSIS

Senate Research Center
89R33654 DNC-D

C.S.H.B. 5509
By: Bumgarner et al. (Paxton)
Local Government
5/26/2025
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

According to the Texas Human Trafficking Prevention Task Force's 2024 report to the legislature, the National Human Trafficking Hotline consistently ranks Texas among the states with the highest number of human trafficking cases. The bill author has informed the committee that hotels are frequently exploited by traffickers due to the high turnover of guests and the minimal oversight they typically receive. While law enforcement actively investigates trafficking operations, the bill author has also informed the committee that municipalities have historically had few direct tools to act against businesses suspected of enabling or ignoring trafficking activities and must often wait to take action until after a lengthy criminal conviction process, limiting their ability to protect vulnerable individuals immediately. H.B. 5509 seeks to address this issue by allowing municipalities to suspend or revoke the certificate of occupancy for a hotel that is under investigation for human trafficking offenses or that the municipality has reasonable cause to believe is involved in such offenses.

(Original Author/Sponsor's Statement of Intent)

C.S.H.B. 5509 amends current law relating to the suspension or revocation of a hotel's certificate of occupancy by a municipality for suspected human trafficking.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 215, Local Government Code, by adding Section 215.007, as follows:

Sec. 215.007. SUSPENSION OR REVOCATION OF HOTEL CERTIFICATE OF OCCUPANCY. (a) Defines "hotel" and "human trafficking activity."

(b) Authorizes the governing body of a municipality to suspend or revoke a certificate of occupancy for a hotel located in the municipality if a law enforcement officer provides an affidavit of probable cause swearing that criminal human trafficking activity is occurring in the hotel, a court with criminal jurisdiction in the county in which the hotel is located issues an order stating the court's finding of probable cause that human trafficking activity is occurring at the hotel, and the municipality follows the procedures described by Subsection (d) before suspending or revoking the certificate of occupancy.

(c) Provides that this section does not limit a hotel owner's or operator's right to a public hearing and to present evidence at a proceeding regarding the suspension or revocation of a certificate of occupancy.

(d) Requires a municipality that seeks to suspend or revoke a certificate of occupancy for a hotel under this section to follow procedures that are consistent

with the suspension or revocation of a certificate of occupancy for any other type of business or use of land within the municipality.

(e) Prohibits this section from being construed to create a private cause of action.

SECTION 2. Effective date: September 1, 2025.