

By: Lowe

H.B. No. 3958

A BILL TO BE ENTITLED

AN ACT

relating to creating a civil penalty and providing for injunctive relief against museums that display certain obscene or harmful material.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 402, Government Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. ENFORCEMENT

Sec. 402.071. MUSEUM DISPLAYING CERTAIN OBSCENE OR HARMFUL MATERIAL: CIVIL PENALTY AND INJUNCTION. (a) A museum that displays obscene or harmful material in violation of Section 43.22, 43.23, or 43.24, Penal Code, is liable to the state in an amount not to exceed \$500,000 for each item of displayed material and each day the display continues.

(b) The attorney general may bring an action to obtain:

(1) injunctive relief;

(2) a civil penalty as provided by Subsection (a); and

(3) reasonable attorney's fees and reasonably incurred costs of investigation or litigation.

(c) An injunction issued under this section must require, in addition to any other relief, that a museum publicly displaying obscene or harmful material as described by Subsection (a) remove the material from public display indefinitely.

SECTION 2. This Act takes effect September 1, 2025.