

SENATE AMENDMENTS
2nd Printing

By: Bumgarner, Rosenthal, Leo Wilson, H.B. No. 5509
Thompson, Isaac

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the suspension or revocation of a hotel's certificate
3 of occupancy by a municipality for suspected human trafficking.

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

5 SECTION 1. Subchapter A, Chapter 215, Local Government
6 Code, is amended by adding Section 215.007 to read as follows:

7 Sec. 215.007. SUSPENSION OR REVOCATION OF HOTEL CERTIFICATE
8 OF OCCUPANCY. (a) In this section:

9 (1) "Hotel" has the meaning assigned by Section
10 156.001, Tax Code.

11 (2) "Human trafficking activity" means conduct that
12 constitutes an offense under Section 20A.02 or 20A.03, Penal Code.

13 (b) The governing body of a municipality may suspend or
14 revoke a certificate of occupancy for a hotel located in the
15 municipality if:

16 (1) a law enforcement officer provides an affidavit of
17 probable cause swearing that criminal human trafficking activity is
18 occurring in the hotel; and

19 (2) a court with criminal jurisdiction in the county
20 in which the hotel is located issues an order stating the court's
21 finding of probable cause that human trafficking activity is
22 occurring at the hotel.

23 (c) This section does not limit a hotel owner's or
24 operator's right to a public hearing and to present evidence at a

1 proceeding regarding the suspension or revocation of a certificate
2 of occupancy.

3 (d) A municipality that seeks to suspend or revoke a
4 certificate of occupancy for a hotel under this section shall
5 follow procedures that are consistent with the suspension or
6 revocation of a certificate of occupancy for any other type of
7 business or use of land within the municipality.

8 (e) This section may not be construed to create a private
9 cause of action.

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

ADOPTED

MAY 28 2025

Latey Law
Secretary of the Senate

By: *April S. Paxton*

H.B. No. 5509

Substitute the following for H.B. No. 5509:

By: *Mayer Middleton*

C.S. H.B. No. 5509

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8 OF OCCUPANCY. (a) In this section:

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12 constitutes an offense under Section 20A.02 or 20A.03, Penal Code.

13 (b) The governing body of a municipality may suspend or
14 revoke a certificate of occupancy for a hotel located in the
15 municipality if:

16 (1) a law enforcement officer provides an affidavit of
17 probable cause swearing that criminal human trafficking activity is
18 occurring in the hotel;

19 (2) a court with criminal jurisdiction in the county
20 in which the hotel is located issues an order stating the court's
21 finding of probable cause that human trafficking activity is
22 occurring at the hotel; and

23 (3) the municipality follows the procedures described
24 by Subsection (d) before suspending or revoking the certificate of

1 occupancy.

2 (c) This section does not limit a hotel owner's or
3 operator's right to a public hearing and to present evidence at a
4 proceeding regarding the suspension or revocation of a certificate
5 of occupancy.

6 (d) A municipality that seeks to suspend or revoke a
7 certificate of occupancy for a hotel under this section shall
8 follow procedures that are consistent with the suspension or
9 revocation of a certificate of occupancy for any other type of
10 business or use of land within the municipality.

11 (e) This section may not be construed to create a private
12 cause of action.

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

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 29, 2025

TO: Honorable Dustin Burrows, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB5509 by Bumgarner (Relating to the suspension or revocation of a hotel's certificate of occupancy by a municipality for suspected human trafficking.), **As Passed 2nd House**

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| No fiscal implication to the State is anticipated. |
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Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JMc, SD, SZ, CWi, BC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 26, 2025

TO: Honorable Paul Bettencourt, Chair, Senate Committee on Local Government

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB5509 by Bumgarner (relating to the suspension or revocation of a hotel's certificate of occupancy by a municipality for suspected human trafficking.), **Committee Report 2nd House, Substituted**

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|---|
| No fiscal implication to the State is anticipated. |
|---|

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JMc, SZ, CWi, BC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 25, 2025

TO: Honorable Paul Bettencourt, Chair, Senate Committee on Local Government

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB5509 by Bumgarner (Relating to the suspension or revocation of a hotel's certificate of occupancy by a municipality for suspected human trafficking.), **As Engrossed**

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| No fiscal implication to the State is anticipated. |
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Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JMc, SZ, CWi, BC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 30, 2025

TO: Honorable Cecil Bell, Chair, House Committee on Intergovernmental Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB5509 by Bumgarner (relating to the suspension or revocation of a hotel 's certificate of occupancy by a municipality for suspected human trafficking.), **Committee Report 1st House, Substituted**

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| No fiscal implication to the State is anticipated. |
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Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JMc, SZ, BC, CWi

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 21, 2025

TO: Honorable Cecil Bell, Chair, House Committee on Intergovernmental Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB5509 by Bumgarner (Relating to the suspension or revocation of a hotel's or motel's certificate of occupancy by a municipality for suspected human trafficking.), **As Introduced**

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|---|
| No fiscal implication to the State is anticipated. |
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Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JMc, SZ, BC, CWi