

BILL ANALYSIS

H.B. 731
By: Hernandez
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been suggested that notifying property owners of massage establishments of an arrest for prostitution-related activities or unlicensed massage therapy and services occurring at these establishments is a critical method of abating these activities. Although state law provides for notice of such an arrest by law enforcement agencies, there is concern regarding ambiguity with respect to the intended recipients of the notice. H.B. 731 seeks to provide clarifications to the law and allow law enforcement agencies to provide notice of such an arrest to property owners of a massage establishment.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 731 amends Section 125.0017, Civil Practice and Remedies Code, as added by Chapter 1135 (H.B. 240), Acts of the 85th Legislature, Regular Session, 2017, to change the person to whom a law enforcement agency may provide a written notice of an arrest for certain activities constituting a common nuisance that occur at property leased to a person operating a massage establishment from each person maintaining the property to the property owner.

H.B. 731 repeals Section 125.0017, Civil Practice and Remedies Code, as added by Chapter 858 (H.B. 2552), Acts of the 85th Legislature, Regular Session, 2017, which requires such notice to be provided to the person maintaining such property not later than the seventh day after the date of such an arrest at the establishment.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.