

- SUBJECT:** Penalties for club owners who allow minors to dance for money
- COMMITTEE:** Licensing and Administrative Procedures — favorable, without amendment
- VOTE:** 7 ayes — Wilson, Yarbrough, Haggerty, D. Jones, J. Moreno, Palmer, A. Reyna
- 0 nays
- 2 absent — Flores, Goolsby
- WITNESSES:** For — Roy B. Chandler, Houston Police Department; Mary Jo May, El Centro de Corazón
- Against — None
- BACKGROUND:** The Texas Alcoholic Beverage Code does not prohibit alcoholic beverage license holders from allowing minors to dance for money on their premises. This practice, known as “taxi dancing,” is not covered by existing prohibitions in the code against selling alcohol to minors, providing alcohol to minors, or employing minors to handle alcoholic beverages directly.
- DIGEST:** HB 874 would make it a Class A misdemeanor, punishable by up to one year in jail and/or a fine of up to \$4,000, for a holder of an alcoholic beverage license to employ, allow, or induce a person under 18 to dance with or for another person in exchange for a benefit. In addition, the Alcoholic Beverage Commission would be required to suspend the alcoholic beverage license for five days upon the first conviction and for 60 days upon the second conviction. The commission would have to cancel the license after a third conviction.
- A license holder would not commit an offense if the person under 18 presented apparently valid identification issued by the Department of Public Safety that showed the minor’s age to be 18 or over.
- HB 874 would take effect September 1, 1999.

SUPPORTERS SAY: HB 874 is necessary to eradicate the troubling practice of taxi dancing to protect underage girls, particularly those from lower-income families. Fear of losing their alcoholic beverage licenses and being convicted of a Class A misdemeanor would deter club owners from encouraging taxi dancing by minors in their establishments.

The city of Houston has adopted an ordinance against taxi dancing, but a law with statewide effect that would allow tougher penalties and suspension of an establishment's alcoholic beverage license also is needed. The intent is not to shut down any establishment but to tighten the law and hold owners accountable for knowingly allowing minors to participate in such activities.

The term taxi dancing originated in the 1930s and 1940s to describe dance halls that allowed women to dance with men for money. This practice was called "dime for a dance." The modern version of taxi dancing often involves underage girls who are exposed to the dangers of prostitution, violence, and drinking. Girls as young as nine years old are put into situations where they cannot defend themselves physically or intellectually against the older men who pay for the dances.

Often the club owner collects a share of the fee paid to the girl. Sometimes, mothers even bring several of their daughters to a taxi-dancing club to collect up to \$200 per girl each night.

OPPONENTS SAY: Since it applies only to dancing, HB 874 would allow taxi-dancing clubs to continue as clubs where underage girls could talk or otherwise interact with men for money. The danger of violence and prostitution still would exist.

OTHER OPPONENTS SAY: The five-day suspension of the alcoholic beverage license for the first conviction should be increased to 30 days to create a stronger deterrent for license holders.

NOTES: The companion bill, SB 222 by Gallegos, passed the Senate by voice vote on March 31 and was reported favorably, without amendment, by the House Licensing and Administrative Procedures Committee on April 21, making it

eligible to be considered in lieu of HB 874. Under SB 222, the prohibition would not apply to gifts or benefits given for dances at weddings, anniversaries, and similar events.