

BILL ANALYSIS

Senate Research Center
76R4145 MLS-D

C.S.S.B. 56
By: Harris
Intergovernmental Relations
2/10/1999
Committee Report (Substituted)

DIGEST

Currently, under S.B. 642, 75th Legislature, the common nuisance statute applies to a person maintaining a multiunit residential property, which a person habitually goes to commit several serious offenses. S.B. 642 was written for a particular neighborhood in Fort Worth, and carries a population cap of 440,000. This bill would allow the common nuisance statute to apply to any municipality.

PURPOSE

As proposed, C.S.S.B. 56 applies the existing common nuisance statute for a multiunit residential property to all municipalities.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 125.001(c), Civil Practice and Remedies Code, to provide that Subsection (b) applies only to a multiunit residential property, as that term is defined by Section 125.041, that is located in a municipality, rather than a municipality with a population of at least 440,000. Deletes text regarding the 74th Legislature.

SECTION 2. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 125.001(c), Civil Practice and Remedies Code, to delete text regarding Section 1, Chapter 818, Acts of the 74th Legislature, 1995, and a minimum population of at least 440,000.

SECTION 2.

Makes application of this Act prospective to the effective date.