

CODE OF CRIMINAL PROCEDURE

TITLE 1. CODE OF CRIMINAL PROCEDURE

CHAPTER 9A. TRADE, BUSINESS, OR OCCUPATION INJURIOUS TO PUBLIC
HEALTH

Text of article effective on April 01, 2027

Art. 9A.001. ORDER REGARDING INJURIOUS TRADE, BUSINESS, OR
OCCUPATION. After an indictment or information has been presented
against a person for carrying on a trade, business, or occupation
injurious to the health of persons in the neighborhood, the court in
which the indictment or information is pending may issue an order:

(1) on the application of an interested person and
after hearing proof for and against the defendant, restraining the
defendant from carrying on the trade, business, or occupation
subject to a penalty the court considers proper; or

(2) regarding the manner and place of carrying on the
trade, business, or occupation as the court considers advisable.

Added by Acts 2025, 89th Leg., R.S., Ch. 202 (H.B. [1610](#)), Sec. 1.01,
eff. April 1, 2027.

Text of article effective on April 01, 2027

Art. 9A.002. PERMANENT RESTRAINT AND BOND ON
CONVICTION. On conviction of the defendant at trial:

(1) the order restraining the defendant issued under
Article [9A.001](#) shall be made permanent; and

(2) the defendant shall be required to execute a bond
with security conditioned on the defendant not continuing, to the
detriment of the health of any neighborhood in the county where the
defendant carried on the trade, business, or occupation, the trade,
business, or occupation for which the defendant was convicted.

Added by Acts 2025, 89th Leg., R.S., Ch. 202 (H.B. [1610](#)), Sec. 1.01,
eff. April 1, 2027.

Text of article effective on April 01, 2027

Art. 9A.003. BOND REQUIREMENTS. A bond executed under
Article [9A.002](#) shall:

- (1) be payable to this state;
- (2) be in a reasonable amount set by the court;
- (3) specify the trade, business, or occupation for which the defendant was convicted and the place where the defendant carried on the trade, business, or occupation;
- (4) be conditioned on the defendant not carrying on, to the detriment of the health of any neighborhood in the county, the specified trade, business, or occupation at the specified place or any other place in the county;
- (5) be signed and dated by the defendant and the defendant's sureties; and
- (6) be approved by and filed with the court.

Added by Acts 2025, 89th Leg., R.S., Ch. 202 (H.B. [1610](#)), Sec. 1.01, eff. April 1, 2027.

Text of article effective on April 01, 2027

Art. 9A.004. CONSEQUENCE OF REFUSAL TO EXECUTE BOND. If a defendant refuses to execute a bond when required under Article [9A.002](#), the court may:

- (1) commit the defendant to jail; or
- (2) issue an order requiring the sheriff to seize and destroy the implements of or the goods and property used in conducting the trade, business, or occupation for which the defendant was convicted.

Added by Acts 2025, 89th Leg., R.S., Ch. 202 (H.B. [1610](#)), Sec. 1.01, eff. April 1, 2027.

Text of article effective on April 01, 2027

Art. 9A.005. ACTION FOR BREACH OF BOND. (a) The district or county attorney may bring an action in the name of the state for breach of a bond executed under Article [9A.002](#) within two years after the date of the breach.

(b) Showing the defendant continued, after executing the bond, to carry on the trade, business, or occupation for which the bond was executed is sufficient proof of the defendant's breach of the bond. The full amount of the bond may be recovered from the

defendant and the defendant's sureties.

(c) An action brought under this article is governed by the same rules governing a civil action.

Added by Acts 2025, 89th Leg., R.S., Ch. 202 (H.B. [1610](#)), Sec. 1.01, eff. April 1, 2027.

Text of article effective on April 01, 2027

Art. 9A.006. SEIZURE AND DESTRUCTION OF UNWHOLESOME FOOD OR ADULTERATED MEDICINE. After a defendant is convicted of selling unwholesome food or adulterated medicine, the court shall issue an order for the sheriff or other proper officer to seize and destroy any unwholesome food or adulterated medicine that remains in the defendant's possession.

Added by Acts 2025, 89th Leg., R.S., Ch. 202 (H.B. [1610](#)), Sec. 1.01, eff. April 1, 2027.