

By: Hull, et al.

H.B. No. 45

Substitute the following for H.B. No. 45:

By: King

C.S.H.B. No. 45

A BILL TO BE ENTITLED

AN ACT

relating to the duty of the attorney general to represent the state in the prosecution of the criminal offense of trafficking of persons.

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

SECTION 1. Chapter 402, Government Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. PROSECUTION OF TRAFFICKING OF PERSONS OFFENSE

Sec. 402.101. APPLICABILITY. This subchapter applies to a criminal offense under Chapter 20A, Penal Code.

Sec. 402.102. PROVISION OF INFORMATION TO ATTORNEY GENERAL.

(a) A law enforcement agency that submits to a local prosecuting attorney a report stating there is probable cause to believe an identified person has committed a criminal offense described by Section 402.101 shall simultaneously submit a copy of that report to the attorney general.

(b) On request of the attorney general, a local prosecuting attorney or law enforcement agency shall provide all information requested regarding investigations of a criminal offense described by Section 402.101 to assist the attorney general in performing duties required under this subchapter.

Sec. 402.103. PROSECUTION. Notwithstanding any other law, the attorney general has jurisdiction to prosecute and shall represent the state in the prosecution of a criminal offense

1 described by Section 402.101 if:

2 (1) a law enforcement agency submits a report  
3 described by Section 402.102(a) to the local prosecuting attorney  
4 and the attorney general; and

5 (2) six months have elapsed from the date the report  
6 was submitted and the local prosecuting attorney has not initiated  
7 proceedings to prosecute the offense.

8 SECTION 2. Chapter 20A, Penal Code, is amended by adding  
9 Section 20A.05 to read as follows:

10 Sec. 20A.05. PROSECUTION BY ATTORNEY GENERAL. The attorney  
11 general has jurisdiction to prosecute and shall represent the state  
12 in the prosecution of an offense under this chapter as provided by  
13 Section 402.103, Government Code.

14 SECTION 3. The changes in law made by this Act apply only to  
15 an offense committed on or after the effective date of this Act. An  
16 offense committed before the effective date of this Act is governed  
17 by the law in effect on the date the offense was committed, and the  
18 former law is continued in effect for that purpose. For purposes of  
19 this section, an offense was committed before the effective date of  
20 this Act if any element of the offense occurred before that date.

21 SECTION 4. This Act takes effect September 1, 2025.