

BILL ANALYSIS

C.S.H.B. 869
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Criminal Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Over the past decade, trafficking in persons has reached epidemic proportions. People are recruited and smuggled into the U.S. and then forced into sexual slavery or some other form of coerced labor. The U.S. government predicts that 50,000 persons are trafficked and then enslaved in the U.S. each year.

C.S.H.B. 869 establishes human trafficking as a state crime and mirrors the recent federal statutes which define human trafficking as a crime.

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

C.S.H.B. 869 amends the Penal Code to establish human trafficking as a state crime. This bill defines "traffic" to mean transporting a person or enticing, recruiting, harboring, providing or otherwise obtaining a person for transport by deception, coercion, or force. Trafficking of persons is a second degree felony offense if the person knowingly traffics another person for labor or services or to engage in conduct covered by the public indecency statutes. An offense is a first degree felony if the trafficked person is under 14 years of age while engaging in public indecency offenses or if the commission of the offense results in the death of the person who is trafficked.

EFFECTIVE DATE

September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute modifies the original bill to eliminate the condition that in order to qualify for trafficking, the transporting of a person must be to an unfamiliar place. Furthermore, the substitute removed the provision that enabled victims of human trafficking to qualify for crime victims funds under the Crime Victims Compensation Act.