

By: Burnam

H.B. No. 3342

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the prosecution of the offense of trafficking of
3 persons.

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

5 SECTION 1. Section 20A.01, Penal Code, is amended to read as
6 follows:

7 Sec. 20A.01. DEFINITIONS. In this chapter:

8 (1) "Forced labor or services":

9 (A) means labor or services, including
10 employment for legal labor or services, that are performed or
11 provided by another person and obtained through an actor's:

12 (i) using force against the person or
13 another person, [~~A~~] threatening to cause bodily injury to the
14 person or another person, or otherwise causing the person
15 performing or providing labor or services to believe that the
16 person or another person will suffer bodily injury;

17 (ii) [~~B~~] restraining the person or
18 another person [~~another~~] in a manner described by Section 20.01(1)
19 or causing the person performing or providing labor or services to
20 believe that the person or another person will be restrained; [~~or~~]

21 (iii) destroying or [~~C~~] withholding
22 from another the person's:

23 (a) actual or purported [~~i~~]
24 government records;

1 (b) actual or purported ~~[(ii)]~~
2 identifying information; or

3 (c) ~~[(iii)]~~ personal property; or
4 (iv) threatening the person with abuse of
5 the law or the legal process in relation to the person or another
6 person; and

7 (B) includes slavery or a practice similar to
8 slavery.

9 (2) "Traffic" means to transport another person or to
10 entice, solicit, recruit, harbor, provide, or otherwise obtain by
11 any means another person for transport ~~[by deception, coercion, or~~
12 ~~force]~~.

13 SECTION 2. Section 20A.02(a), Penal Code, is amended to
14 read as follows:

15 (a) A person commits an offense if the person:

16 (1) knowingly traffics another person with the intent
17 or knowledge that the trafficked person will engage in:

18 (A) ~~[(1)]~~ forced labor or services; ~~or~~

19 (B) ~~[(2)]~~ conduct that constitutes an offense
20 under Chapter 43; or

21 (C) conduct that constitutes an offense under
22 Section 48.02; or

23 (2) benefits from participating in a venture that
24 involves an activity described by Subdivision (1)(A), (B), or (C),
25 including by receiving labor or services that the actor knows are
26 forced labor or services.

27 SECTION 3. The change in law made by this Act applies only

1 to an offense committed on or after the effective date of this Act.
2 An offense committed before the effective date of this Act is
3 governed by the law in effect when the offense was committed, and
4 the former law is continued in effect for that purpose. For
5 purposes of this section, an offense is committed before the
6 effective date of this Act if any element of the offense occurs
7 before the effective date.

8 SECTION 4. This Act takes effect September 1, 2007.