

By: Thompson

H.B. No. 3370

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" means labor or services
9 that are performed or provided by another person and obtained
10 through an actor's:

11 (A) causing or threatening to cause bodily injury
12 to the person or another person or otherwise causing the person
13 performing or providing labor or services to believe that the
14 person or another person will suffer bodily injury;

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

20 (C) knowingly destroying, concealing, removing,
21 confiscating, or withholding from the person or another person, or
22 threatening to destroy, conceal, remove, confiscate, or withhold
23 from the person or another person, the person's actual or
24 purported:

1 (i) government records;

2 (ii) identifying information; or

3 (iii) personal property;

4 (D) threatening the person with abuse of the law
5 or the legal process in relation to the person or another person;

6 (E) threatening to report the person or another
7 person to immigration officials or other law enforcement officials
8 or otherwise blackmailing or extorting the person or another
9 person;

10 (F) exerting financial control over the person or
11 another person; or

12 (G) using any scheme, plan, or pattern intended
13 to cause the person to believe that the person or another person
14 will be subjected to serious harm or restraint if the person does
15 not perform or provide the labor or services.

16 (2) "Traffic" means to transport another person or to
17 entice, recruit, harbor, provide, or otherwise obtain another
18 person for transport by any means [~~by deception, coercion, or~~
19 ~~force~~].

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

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

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

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

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

1 (2) intentionally or knowingly benefits from
2 participating in a venture that involves an activity described by
3 Subdivision (1), including by receiving labor or services the
4 person knows are forced labor or services.

5 SECTION 3. The change in law made by this Act applies only
6 to an offense committed on or after the effective date of this Act.
7 An offense committed before the effective date of this Act is
8 governed by the law in effect when the offense was committed, and
9 the former law is continued in effect for that purpose. For
10 purposes of this section, an offense is committed before the
11 effective date of this Act if any element of the offense occurs
12 before the effective date.

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