

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**April 27, 2007**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: SB1283** by Van de Putte (Relating to the prosecution and punishment of the offense of trafficking of persons and a report concerning to offense. ), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Penal Code by broadening the definition of forced labor or services as it relates to the offense of trafficking of persons. The bill would also broaden the definition of traffic to include obtaining another person for transport by any means.

The bill would amend the Penal Code by including in the offense of trafficking of persons: 1) trafficking another person with the knowledge the trafficked person will engage in forced labor or services or 2) intentionally or knowingly benefits from participating in a venture that involves an activity described by Subdivision (1), including by receiving labor or services the person knows are forced labor or services. An offense under this section is punishable as a felony of the second degree, unless the conduct constitutes the offense of prostitution and the person who is trafficked is younger than 18 years age, in which case the offense would be punishable as a felony of the first degree.

The bill would require the Attorney General, in consultation with the Health and Human Services Commission, to prepare a report relating to existing laws and rules concerning the victims of human trafficking. The bill would also require the Health and Human Services Commission, in consultation with the Attorney General, to prepare a report relating to existing social service programs concerning the victims of human trafficking. Both reports would be required no later than September 1, 2008.

The bill would take effect on September 1, 2007 and apply to an offense committed on or after the effective date.

Broadening the definition of the types of behavior punishable is expected to result in increased demands upon the correctional resources of counties or of the State due to an increase in offenses. It is assumed the number of persons convicted under this statute would not result in a significant impact on programs and workload of state corrections agencies or on the demand for resources and services of those agencies. Both the Office of the Attorney General and the Health and Human Services Commission determined that the cost of implementing the provisions of the bill relating to preparing reports would not be significant.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 302 Office of the Attorney General, 696 Department of Criminal Justice

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