

By: Weber, Gallego, Creighton,
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H.B. No. 1122

Substitute the following for H.B. No. 1122:

By: Gallego

C.S.H.B. No. 1122

A BILL TO BE ENTITLED

AN ACT

relating to the trafficking of persons.

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

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

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

(a) ~~[(1)]~~ "Forced labor or services" means labor or services, excluding those defined in Subsection (c) and Subsection (d), ~~[including conduct that constitutes an offense under Section 43.02,~~] that are performed or provided by another person and obtained through an actor's use of force, fraud, or coercion [+

~~[(A) causing or threatening to cause bodily injury to the person or another person or otherwise causing the person performing or providing labor or services to believe that the person or another person will suffer bodily injury,~~

~~[(B) restraining or threatening to restrain the person or another person in a manner described by Section 20.01(1) or causing the person performing or providing labor or services to believe that the person or another person will be restrained,~~

~~[(C) knowingly destroying, concealing, removing, confiscating, or withholding from the person or another person, or threatening to destroy, conceal, remove, confiscate, or withhold from the person or another person, the person's actual or 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~~
11 ~~or another person by placing the person or another person under the~~
12 ~~actor's control as security for a debt to the extent that:~~
13 ~~[(i) the value of the services provided by~~
14 ~~the person or another person as reasonably assessed is not applied~~
15 ~~toward the liquidation of the debt;~~
16 ~~[(ii) the duration of the services provided~~
17 ~~by the person or another person is not limited and the nature of the~~
18 ~~services provided by the person or another person is not defined; or~~
19 ~~[(iii) the principal amount of the debt~~
20 ~~does not reasonably reflect the value of the items or services for~~
21 ~~which the debt was incurred; or~~
22 ~~[(G) using any scheme, plan, or pattern intended~~
23 ~~to cause the person to believe that the person or another person~~
24 ~~will be subjected to serious harm or restraint if the person does~~
25 ~~not perform or provide the labor or services].~~

26 (b) ~~[(2)]~~ "Traffic" means to transport, entice, recruit,
27 harbor, provide, or otherwise obtain another person by any means.

1 (c) "Sexual services" means conduct which constitutes an
2 offense under the following sections of the Penal Code:

3 (1) Section 43.02 (Prostitution);

4 (2) Section 43.03 (Promotion of Prostitution);

5 (3) Section 43.04 (Aggravated Promotion of
6 Prostitution); or

7 (4) Section 43.05 (Compelling Prostitution) and that
8 are obtained through an actor's use of force, fraud, or coercion.

9 (d) "Sexual services of a child" means conduct that
10 constitutes an offense under the following sections of the Penal
11 Code:

12 (1) Section 21.02 (Continuous Sexual Abuse of Young
13 Child or Children);

14 (2) Section 21.11 (Indecency with a Child);

15 (3) Section 22.011 (Sexual Assault);

16 (4) Section 22.021 (Aggravated Sexual Assault);

17 (5) Section 43.02 (Prostitution);

18 (6) Section 43.03 (Promotion of Prostitution);

19 (7) Section 43.04 (Aggravated Promotion of
20 Prostitution);

21 (8) Section 43.05 (Compelling Prostitution);

22 (9) Section 43.25 (Sexual Performance by a Child);

23 (10) Section 43.251 (Employment Harmful to Children);

24 or

25 (11) Section 43.26 (Possession or Promotion of Child
26 Pornography), regardless of whether the actor knows the age of the
27 child at the time the actor commits the offense and regardless of

1 whether the actor uses force, fraud, or coercion in the commission
2 of the offense.

3 (e) "Child" means a person younger than 18 years of age.

4 SECTION 2. Section 20A.02, Penal Code, is amended to read as
5 follows:

6 Sec. 20A.02. TRAFFICKING OF PERSONS. (a) A person commits
7 an offense if the person knowingly:

8 (1) traffics another person with the intent or
9 knowledge that the trafficked person [~~will~~] engage in forced labor
10 or services; or

11 (2) benefits from participating in a venture that
12 involves an activity described by Subdivision (1), including by
13 receiving labor or services the person knows are forced labor or
14 services.

15 (b) A person commits an offense if the person knowingly:

16 (1) traffics another person with the intent that the
17 trafficked person engage in sexual services; or

18 (2) benefits from participating in a venture that
19 involves an activity described by Subdivision (1), including by
20 receiving services the person knows are sexual services.

21 (c) A person commits an offense if the person knowingly:

22 (1) traffics a child with the intent that the
23 trafficked child engage in forced labor or services; or

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

1 (d) A person commits an offense if the person knowingly:

2 (1) traffics a child with the intent that the
3 trafficked child engage in sexual services; or

4 (2) benefits from participating in a venture that
5 involves an activity described by Subdivision (1), including by
6 receiving services the person knows are sexual services of a child.

7 (e) [~~(b)~~] Except as otherwise provided by this subsection,
8 an offense under this section is a felony of the second degree. An
9 offense under this section is a felony of the first degree if:

10 (1) the applicable conduct constitutes an offense
11 under Subsection (c) or Subsection (d) [~~Section 43.05 or 43.25 and~~
12 ~~the person who is trafficked is a child younger than 18 years of age~~
13 ~~at the time of the offense, regardless of whether the actor knows~~
14 ~~the age of the child at the time the actor commits the offense]~~; or

15 (2) the commission of the offense results in the death
16 of the person who is trafficked.

17 (f) [~~(e)~~] If conduct constituting an offense under this
18 section also constitutes an offense under another section of this
19 code, the actor may be prosecuted under either section or under both
20 sections.

21 SECTION 3. Section 33.013(b), Civil Practice and Remedies
22 Code, is amended to read as follows:

23 (b) Notwithstanding Subsection (a), each liable defendant
24 is, in addition to his liability under Subsection (a), jointly and
25 severally liable for the damages recoverable by the claimant under
26 Section 33.012 with respect to a cause of action if:

27 (1) the percentage of responsibility attributed to the

1 defendant with respect to a cause of action is greater than 50
2 percent; or

3 (2) the defendant, with the specific intent to do harm
4 to others, acted in concert with another person to engage in the
5 conduct described in the following provisions of the Penal Code and
6 in so doing proximately caused the damages legally recoverable by
7 the claimant:

8 (A) Section 19.02 (murder);

9 (B) Section 19.03 (capital murder);

10 (C) Section 20.04 (aggravated kidnapping);

11 (D) Section 22.02 (aggravated assault);

12 (E) Section 22.011 (sexual assault);

13 (F) Section 22.021 (aggravated sexual assault);

14 (G) Section 22.04 (injury to a child, elderly
15 individual, or disabled individual);

16 (H) Section 32.21 (forgery);

17 (I) Section 32.43 (commercial bribery);

18 (J) Section 32.45 (misapplication of fiduciary
19 property or property of financial institution);

20 (K) Section 32.46 (securing execution of
21 document by deception);

22 (L) Section 32.47 (fraudulent destruction,
23 removal, or concealment of writing);

24 (M) conduct described in Chapter 31 the
25 punishment level for which is a felony of the third degree or
26 higher; ~~or~~

27 (N) Section 21.02 (continuous sexual abuse of

1 young child or children);

2 (O) Section 43.05 (compelling prostitution); or

3 (P) Section 20A.02 (trafficking of persons).

4 SECTION 4. Section 98.002(a), Civil Practice and Remedies
5 Code, is amended to read as follows:

6 (a) A defendant who engages in the trafficking of persons,
7 ~~[or]~~ who intentionally or knowingly receives a benefit ~~[benefits]~~
8 from participating in a venture that traffics another person, or
9 who is criminally responsible under Section 7.02, Penal Code, for
10 the conduct of another person who engages in the conduct described
11 by this section is liable to the person trafficked, as provided by
12 this chapter, for damages arising from the trafficking of that
13 person by, as applicable, the defendant, the ~~[or]~~ venture, or the
14 other person for whose conduct the defendant is criminally
15 responsible.

16 SECTION 5. Section 98.005, Civil Practice and Remedies
17 Code, is amended to read as follows:

18 Sec. 98.005. JOINT AND SEVERAL LIABILITY. A person who
19 engages in the trafficking of persons, ~~[or]~~ who intentionally or
20 knowingly receives a benefit ~~[benefits]~~ from participating in a
21 venture that traffics another person, or who is criminally
22 responsible under Section 7.02, Penal Code, for the conduct of
23 another person who engages in the conduct described by this section
24 and who is found liable under this chapter or other law for any
25 amount of damages arising from the trafficking is jointly liable
26 with any other defendant for the entire amount of damages arising
27 from the trafficking.

1 SECTION 6. Article 12.01, Code of Criminal Procedure, is
2 amended to read as follows:

3 Art. 12.01. FELONIES. Except as provided in Article 12.03,
4 felony indictments may be presented within these limits, and not
5 afterward:

6 (1) no limitation:

7 (A) murder and manslaughter;

8 (B) sexual assault under Section 22.011(a)(2),
9 Penal Code, or aggravated sexual assault under Section
10 22.021(a)(1)(B), Penal Code;

11 (C) sexual assault, if during the investigation
12 of the offense biological matter is collected and subjected to
13 forensic DNA testing and the testing results show that the matter
14 does not match the victim or any other person whose identity is
15 readily ascertained;

16 (D) continuous sexual abuse of young child or
17 children under Section 21.02, Penal Code;

18 (E) indecency with a child under Section 21.11,
19 Penal Code; ~~or~~

20 (F) an offense involving leaving the scene of an
21 accident under Section 550.021, Transportation Code, if the
22 accident resulted in the death of a person;

23 (G) compelling prostitution under Section
24 43.05(a)(2); or

25 (H) trafficking of persons under Section
26 20A.02(d), Penal Code;

27 (2) ten years from the date of the commission of the

1 offense:

2 (A) theft of any estate, real, personal or mixed,
3 by an executor, administrator, guardian or trustee, with intent to
4 defraud any creditor, heir, legatee, ward, distributee,
5 beneficiary or settlor of a trust interested in such estate;

6 (B) theft by a public servant of government
7 property over which he exercises control in his official capacity;

8 (C) forgery or the uttering, using or passing of
9 forged instruments;

10 (D) injury to an elderly or disabled individual
11 punishable as a felony of the first degree under Section 22.04,
12 Penal Code;

13 (E) sexual assault, except as provided by
14 Subdivision (1); ~~[or]~~

15 (F) arson;

16 (G) trafficking of persons under Sections
17 20A.02(a) and (b), Penal Code; or

18 (H) compelling prostitution, Section
19 43.05(a)(1), Penal Code;

20 (3) seven years from the date of the commission of the
21 offense:

22 (A) misapplication of fiduciary property or
23 property of a financial institution;

24 (B) securing execution of document by deception;

25 (C) a felony violation under Chapter 162, Tax
26 Code;

27 (D) false statement to obtain property or credit

1 under Section 32.32, Penal Code;

2 (E) money laundering;

3 (F) credit card or debit card abuse under Section
4 32.31, Penal Code; or

5 (G) fraudulent use or possession of identifying
6 information under Section 32.51, Penal Code;

7 (4) five years from the date of the commission of the
8 offense:

9 (A) theft or robbery;

10 (B) except as provided by Subdivision (5),
11 kidnapping or burglary;

12 (C) injury to an elderly or disabled individual
13 that is not punishable as a felony of the first degree under Section
14 22.04, Penal Code;

15 (D) abandoning or endangering a child; or

16 (E) insurance fraud;

17 (5) if the investigation of the offense shows that the
18 victim is younger than 17 years of age at the time the offense is
19 committed, 20 years from the 18th birthday of the victim of one of
20 the following offenses:

21 (A) sexual performance by a child under Section
22 43.25, Penal Code;

23 (B) aggravated kidnapping under Section
24 20.04(a)(4), Penal Code, if the defendant committed the offense
25 with the intent to violate or abuse the victim sexually; or

26 (C) burglary under Section 30.02, Penal Code, if
27 the offense is punishable under Subsection (d) of that section and

1 the defendant committed the offense with the intent to commit an
2 offense described by Subdivision (1)(B) or (D) of this article or
3 Paragraph (B) of this subdivision;

4 (6) ten years from the 18th birthday of the victim of
5 the offense:

6 (A) injury to a child under Section 22.04, Penal
7 Code;

8 (B) compelling prostitution under Section
9 43.05(a)(2), Penal Code; or

10 (C) trafficking of persons under Section
11 20A.02(c), Penal Code; or

12 (7) three years from the date of the commission of the
13 offense: all other felonies.

14 SECTION 7. Article 17.03(b), Code of Criminal Procedure, is
15 amended to read as follows:

16 (b) Only the court before whom the case is pending may
17 release on personal bond a defendant who:

18 (1) is charged with an offense under the following
19 sections of the Penal Code:

20 (A) Section 19.03 (Capital Murder);

21 (B) Section 20.04 (Aggravated Kidnapping);

22 (C) Section 22.021 (Aggravated Sexual Assault);

23 (D) Section 43.05(a)(2) (Compelling
24 Prostitution) [~~22.03 (Deadly Assault on Law Enforcement or~~
25 ~~Corrections Officer, Member or Employee of Board of Pardons and~~
26 ~~Paroles, or Court Participant)];~~

27 (E) Section 22.04 (Injury to a Child, Elderly

1 Individual, or Disabled Individual);

2 (F) Section 29.03 (Aggravated Robbery);

3 (G) Section 30.02 (Burglary);

4 (H) Section 71.02 (Engaging in Organized
5 Criminal Activity); ~~or~~

6 (I) Section 21.02 (Continuous Sexual Abuse of
7 Young Child or Children); or

8 (J) Section 20A.02(d) (Trafficking of Persons);

9 (2) is charged with a felony under Chapter 481, Health
10 and Safety Code, or Section 485.033, Health and Safety Code,
11 punishable by imprisonment for a minimum term or by a maximum fine
12 that is more than a minimum term or maximum fine for a first degree
13 felony; or

14 (3) does not submit to testing for the presence of a
15 controlled substance in the defendant's body as requested by the
16 court or magistrate under Subsection (c) of this article or submits
17 to testing and the test shows evidence of the presence of a
18 controlled substance in the defendant's body.

19 SECTION 8. Article 18.021(a), Code of Criminal Procedure,
20 is amended to read as follows:

21 (a) A search warrant may be issued to search for and
22 photograph a child who is alleged to be the victim of any of the
23 following offenses under the Penal Code:

24 (1) ~~of~~ injury to a child as prohibited by Section
25 22.04;

26 (2) [~~Penal Code,~~] sexual assault of a child as
27 prohibited by Section 22.011(a);

1 (3) [~~, Penal Code,~~] aggravated sexual assault of a
2 child as prohibited by Section 22.021;

3 (4) [~~, Penal Code, or]~~ continuous sexual abuse of
4 young child or children as prohibited by Section 21.02;

5 (5) compelling prostitution as prohibited by Section
6 43.05(a)(2); or

7 (6) trafficking of persons as prohibited by Section
8 20A.02(d), Penal Code.

9 SECTION 9. Section 33.009, Family Code, is amended to read
10 as follows:

11 Sec. 33.009. OTHER REPORTS OF SEXUAL ABUSE OF A MINOR. (a)
12 This section applies only to conduct that violates one or more of
13 the following sections of the Penal Code:

14 (1) Section 20A.02(d), Penal Code;

15 (2) Section 21.02;

16 (3) Section 22.011;

17 (4) Section 22.021; or

18 (5) Section 25.02.

19 (b) If a [A] court or the guardian ad litem or attorney ad
20 litem for the minor [~~shall report conduct]~~ reasonably believes
21 [~~believed to violate Section 21.02, 22.011, 22.021, or 25.02, Penal~~
22 Code], based on information obtained during a confidential court
23 proceeding held under this chapter, that a person has engaged in
24 conduct described by Subsection (a), the court or the guardian ad
25 litem or attorney ad litem shall report the conduct to:

26 (1) any local or state law enforcement agency;

27 (2) the Department of Family and Protective Services,

1 if the alleged conduct involves a person responsible for the care,
2 custody, or welfare of the child;

3 (3) the state agency that operates, licenses,
4 certifies, or registers the facility in which the alleged conduct
5 occurred, if the alleged conduct occurred in a facility operated,
6 licensed, certified, or registered by a state agency; or

7 (4) an appropriate agency designated by the court.

8 SECTION 10. Section 33.010, Family Code, is amended to read
9 as follows:

10 Sec. 33.010. CONFIDENTIALITY. Notwithstanding any other
11 law, information obtained by the Department of Family and
12 Protective Services or another entity under Section 33.008 or
13 33.009 is confidential except to the extent necessary to prove a
14 violation of Section 21.02, 22.011, 22.021, or 25.02, Penal Code,
15 or a violation of Section 20A.02(d), Penal Code.

16 SECTION 11. Section 161.001, Family Code, is amended to
17 read as follows:

18 Sec. 161.001. INVOLUNTARY TERMINATION OF PARENT-CHILD
19 RELATIONSHIP. The court may order termination of the parent-child
20 relationship if the court finds by clear and convincing evidence:

21 (1) that the parent has:

22 (A) voluntarily left the child alone or in the
23 possession of another not the parent and expressed an intent not to
24 return;

25 (B) voluntarily left the child alone or in the
26 possession of another not the parent without expressing an intent
27 to return, without providing for the adequate support of the child,

1 and remained away for a period of at least three months;

2 (C) voluntarily left the child alone or in the
3 possession of another without providing adequate support of the
4 child and remained away for a period of at least six months;

5 (D) knowingly placed or knowingly allowed the
6 child to remain in conditions or surroundings which endanger the
7 physical or emotional well-being of the child;

8 (E) engaged in conduct or knowingly placed the
9 child with persons who engaged in conduct which endangers the
10 physical or emotional well-being of the child;

11 (F) failed to support the child in accordance
12 with the parent's ability during a period of one year ending within
13 six months of the date of the filing of the petition;

14 (G) abandoned the child without identifying the
15 child or furnishing means of identification, and the child's
16 identity cannot be ascertained by the exercise of reasonable
17 diligence;

18 (H) voluntarily, and with knowledge of the
19 pregnancy, abandoned the mother of the child beginning at a time
20 during her pregnancy with the child and continuing through the
21 birth, failed to provide adequate support or medical care for the
22 mother during the period of abandonment before the birth of the
23 child, and remained apart from the child or failed to support the
24 child since the birth;

25 (I) contumaciously refused to submit to a
26 reasonable and lawful order of a court under Subchapter D, Chapter
27 261;

1 (J) been the major cause of:

2 (i) the failure of the child to be enrolled
3 in school as required by the Education Code; or

4 (ii) the child's absence from the child's
5 home without the consent of the parents or guardian for a
6 substantial length of time or without the intent to return;

7 (K) executed before or after the suit is filed an
8 unrevoked or irrevocable affidavit of relinquishment of parental
9 rights as provided by this chapter;

10 (L) been convicted or has been placed on
11 community supervision, including deferred adjudication community
12 supervision, for being criminally responsible for the death or
13 serious injury of a child under the following sections of the Penal
14 Code or adjudicated under Title 3 for conduct that caused the death
15 or serious injury of a child and that would constitute a violation
16 of one of the following Penal Code sections:

17 (i) Section 19.02 (murder);

18 (ii) Section 19.03 (capital murder);

19 (iii) Section 19.04 (manslaughter);

20 (iv) Section 21.11 (indecent with a
21 child);

22 (v) Section 22.01 (assault);

23 (vi) Section 22.011 (sexual assault);

24 (vii) Section 22.02 (aggravated assault);

25 (viii) Section 22.021 (aggravated sexual
26 assault);

27 (ix) Section 22.04 (injury to a child,

- 1 elderly individual, or disabled individual);
- 2 (x) Section 22.041 (abandoning or
- 3 endangering child);
- 4 (xi) Section 25.02 (prohibited sexual
- 5 conduct);
- 6 (xii) Section 43.25 (sexual performance by
- 7 a child);
- 8 (xiii) Section 43.26 (possession or
- 9 promotion of child pornography); ~~and~~
- 10 (xiv) Section 21.02 (continuous sexual
- 11 abuse of young child or children);
- 12 (xv) Section 43.05(a)(2) (compelling
- 13 prostitution);
- 14 (xvi) Section 43.02 (prostitution); and
- 15 (xvii) Section 20A.02(d) (trafficking of
- 16 persons);

17 (M) had his or her parent-child relationship

18 terminated with respect to another child based on a finding that the

19 parent's conduct was in violation of Paragraph (D) or (E) or

20 substantially equivalent provisions of the law of another state;

21 (N) constructively abandoned the child who has

22 been in the permanent or temporary managing conservatorship of the

23 Department of Family and Protective Services or an authorized

24 agency for not less than six months, and:

25 (i) the department or authorized agency has

26 made reasonable efforts to return the child to the parent;

27 (ii) the parent has not regularly visited

1 or maintained significant contact with the child; and

2 (iii) the parent has demonstrated an
3 inability to provide the child with a safe environment;

4 (O) failed to comply with the provisions of a
5 court order that specifically established the actions necessary for
6 the parent to obtain the return of the child who has been in the
7 permanent or temporary managing conservatorship of the Department
8 of Family and Protective Services for not less than nine months as a
9 result of the child's removal from the parent under Chapter 262 for
10 the abuse or neglect of the child;

11 (P) used a controlled substance, as defined by
12 Chapter 481, Health and Safety Code, in a manner that endangered the
13 health or safety of the child, and:

14 (i) failed to complete a court-ordered
15 substance abuse treatment program; or

16 (ii) after completion of a court-ordered
17 substance abuse treatment program, continued to abuse a controlled
18 substance;

19 (Q) knowingly engaged in criminal conduct that
20 has resulted in the parent's:

21 (i) conviction of an offense; and

22 (ii) confinement or imprisonment and
23 inability to care for the child for not less than two years from the
24 date of filing the petition;

25 (R) been the cause of the child being born
26 addicted to alcohol or a controlled substance, other than a
27 controlled substance legally obtained by prescription, as defined

1 by Section 261.001;

2 (S) voluntarily delivered the child to a
3 designated emergency infant care provider under Section 262.302
4 without expressing an intent to return for the child; or

5 (T) been convicted of:

6 (i) the murder of the other parent of the
7 child under Section 19.02 or 19.03, Penal Code, or under a law of
8 another state, federal law, the law of a foreign country, or the
9 Uniform Code of Military Justice that contains elements that are
10 substantially similar to the elements of an offense under Section
11 19.02 or 19.03, Penal Code;

12 (ii) criminal attempt under Section 15.01,
13 Penal Code, or under a law of another state, federal law, the law of
14 a foreign country, or the Uniform Code of Military Justice that
15 contains elements that are substantially similar to the elements of
16 an offense under Section 15.01, Penal Code, to commit the offense
17 described by Subparagraph (i); or

18 (iii) criminal solicitation under Section
19 15.03, Penal Code, or under a law of another state, federal law, the
20 law of a foreign country, or the Uniform Code of Military Justice
21 that contains elements that are substantially similar to the
22 elements of an offense under Section 15.03, Penal Code, of the
23 offense described by Subparagraph (i); and

24 (2) that termination is in the best interest of the
25 child.

26 SECTION 12. Section 262.2015(b), Family Code, is amended to
27 read as follows:

1 (b) The court may find under Subsection (a) that a parent
2 has subjected the child to aggravated circumstances if:

3 (1) the parent abandoned the child without
4 identification or a means for identifying the child;

5 (2) the child is a victim of serious bodily injury or
6 sexual abuse inflicted by the parent or by another person with the
7 parent's consent;

8 (3) the parent has engaged in conduct against the
9 child that would constitute an offense under the following
10 provisions of the Penal Code:

11 (A) Section 19.02 (murder);

12 (B) Section 19.03 (capital murder);

13 (C) Section 19.04 (manslaughter);

14 (D) Section 21.11 (indecent with a child);

15 (E) Section 22.011 (sexual assault);

16 (F) Section 22.02 (aggravated assault);

17 (G) Section 22.021 (aggravated sexual assault);

18 (H) Section 22.04 (injury to a child, elderly
19 individual, or disabled individual);

20 (I) Section 22.041 (abandoning or endangering
21 child);

22 (J) Section 25.02 (prohibited sexual conduct);

23 (K) Section 43.25 (sexual performance by a
24 child);

25 (L) Section 43.26 (possession or promotion of
26 child pornography); ~~[or]~~

27 (M) Section 21.02 (continuous sexual abuse of

1 young child or children);

2 (N) Section 43.02 (prostitution);

3 (O) Section 43.05(a)(2) (compelling
4 prostitution); or

5 (P) Section 20A.02(d) (trafficking of persons);

6 (4) the parent voluntarily left the child alone or in
7 the possession of another person not the parent of the child for at
8 least six months without expressing an intent to return and without
9 providing adequate support for the child;

10 (5) the parent's parental rights with regard to
11 another child have been involuntarily terminated based on a finding
12 that the parent's conduct violated Section 161.001(1)(D) or (E) or
13 a substantially equivalent provision of another state's law;

14 (6) the parent has been convicted for:

15 (A) the murder of another child of the parent and
16 the offense would have been an offense under 18 U.S.C. Section
17 1111(a) if the offense had occurred in the special maritime or
18 territorial jurisdiction of the United States;

19 (B) the voluntary manslaughter of another child
20 of the parent and the offense would have been an offense under 18
21 U.S.C. Section 1112(a) if the offense had occurred in the special
22 maritime or territorial jurisdiction of the United States;

23 (C) aiding or abetting, attempting, conspiring,
24 or soliciting an offense under Subdivision (A) or (B); or

25 (D) the felony assault of the child or another
26 child of the parent that resulted in serious bodily injury to the
27 child or another child of the parent; or

1 (7) the parent's parental rights with regard to two
2 other children have been involuntarily terminated.

3 SECTION 13. Section 23.101(a), Government Code, is amended
4 to read as follows:

5 (a) The trial courts of this state shall regularly and
6 frequently set hearings and trials of pending matters, giving
7 preference to hearings and trials of the following:

8 (1) temporary injunctions;

9 (2) criminal actions, with the following actions given
10 preference over other criminal actions:

11 (A) criminal actions against defendants who are
12 detained in jail pending trial;

13 (B) criminal actions involving a charge that a
14 person committed an act of family violence, as defined by Section
15 71.004, Family Code;

16 (C) an offense under:

17 (i) Section 21.02 or 21.11, Penal Code;

18 (ii) Chapter 22, Penal Code, if the victim
19 of the alleged offense is younger than 17 years of age;

20 (iii) Section 25.02, Penal Code, if the
21 victim of the alleged offense is younger than 17 years of age;

22 (iv) Section 25.06, Penal Code; ~~or~~

23 (v) Section 43.25, Penal Code;

24 (vi) Section 43.05(a)(2), Penal Code; or

25 (vii) Section 20A.02(d), Penal Code; and

26 (D) an offense described by Article 62.001(6)(C)

27 or (D), Code of Criminal Procedure;

1 (3) election contests and suits under the Election
2 Code;

3 (4) orders for the protection of the family under
4 Subtitle B, Title 4, Family Code;

5 (5) appeals of final rulings and decisions of the
6 division of workers' compensation of the Texas Department of
7 Insurance regarding workers' compensation claims and claims under
8 the Federal Employers' Liability Act and the Jones Act;

9 (6) appeals of final orders of the commissioner of the
10 General Land Office under Section 51.3021, Natural Resources Code;

11 (7) actions in which the claimant has been diagnosed
12 with malignant mesothelioma, other malignant asbestos-related
13 cancer, malignant silica-related cancer, or acute silicosis; and

14 (8) appeals brought under Section 42.01 or 42.015, Tax
15 Code, of orders of appraisal review boards of appraisal districts
16 established for counties with a population of less than 175,000.

17 SECTION 14. Section 411.1471(a), Government Code, is
18 amended to read as follows:

19 (a) This section applies to a defendant who is:

20 (1) indicted or waives indictment for a felony
21 prohibited or punishable under any of the following Penal Code
22 sections:

23 (A) Section 20.04(a)(4);

24 (B) Section 21.11;

25 (C) Section 22.011;

26 (D) Section 22.021;

27 (E) Section 25.02;

- 1 (F) Section 30.02(d);
- 2 (G) Section 43.05;
- 3 (H) Section 43.25;
- 4 (I) Section 43.26; ~~[or]~~
- 5 (J) Section 21.02;
- 6 (K) Section 43.05(a)(2); or
- 7 (L) Section 20A.02(d), Penal Code;

8 (2) arrested for a felony described by Subdivision (1)
9 after having been previously convicted of or placed on deferred
10 adjudication for an offense described by Subdivision (1) or an
11 offense punishable under Section 30.02(c)(2), Penal Code; or

12 (3) convicted of an offense under Section 21.07 or
13 21.08, Penal Code.

14 SECTION 15. Section 25.026, Tax Code, is amended to read as
15 follows:

16 Sec. 25.026. CONFIDENTIALITY OF CERTAIN ~~[VIOLENCE]~~ SHELTER
17 CENTER AND SEXUAL ASSAULT PROGRAM ADDRESS INFORMATION. (a) In
18 this section:

19 (1) "Family violence shelter center" has the meaning
20 assigned by Section 51.002, Human Resources Code.

21 (2) "Sexual assault program" has the meaning assigned
22 by Section 420.003, Government Code.

23 (3) "Victims of trafficking shelter center" means a
24 program that:

25 (A) is operated by a public or private nonprofit
26 organization; and

27 (B) provides comprehensive residential and

1 nonresidential services to victims of trafficking of persons under
2 Section 20A.02, Penal Code.

3 (b) Information in appraisal records under Section 25.02 is
4 confidential and is available only for the official use of the
5 appraisal district, this state, the comptroller, and taxing units
6 and political subdivisions of this state if the information
7 identifies the address of a family violence shelter center, ~~or~~ a
8 sexual assault program, or a victims of trafficking shelter center.

9 SECTION 16. The change in law made by this Act applies only
10 to an offense committed on or after the effective date of this Act.
11 An offense committed before the effective date of this Act is
12 governed by the law in effect on the date the offense was committed,
13 and the former law is continued in effect for that purpose. For
14 purposes of this section, an offense was committed before the
15 effective date of this Act if any element of the offense occurred
16 before that date.

17 SECTION 17. This Act takes effect September 1, 2011.