

BILL ANALYSIS

Senate Research Center
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H.B. 2725
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Health & Human Services
5/10/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Concerned parties contend that one of the most pressing needs for victims of human trafficking is proper housing where such victims can receive needed immediate care and treatment. Public and private nonprofit organizations that seek to establish treatment centers for victims face many problems, including inadequate funding, zoning restrictions, licensing requirements, and the lack of standardized procedures for serving victims, especially minors. Also, there are no confidentiality safeguards for shelters that help victims of human trafficking.

H.B. 2725 amends current law relating to the confidentiality of certain records maintained by a victims of trafficking shelter center and the creation of minimum standards for certain facilities that provide services to victims of trafficking.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Services Commission in SECTION 4 (Section 42.042, Human Resources Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Section 552.138, Government Code, to read as follows:

Sec. 552.138. EXCEPTION: CONFIDENTIALITY OF FAMILY VIOLENCE SHELTER CENTER, VICTIMS OF TRAFFICKING SHELTER CENTER, AND SEXUAL ASSAULT PROGRAM INFORMATION.

SECTION 2. Amends Section 552.138(a), Government Code, by adding Subdivision (3) to define "victims of trafficking shelter center."

SECTION 3. Amends Sections 552.138(b) and (c), Government Code, as follows:

(b) Excepts information maintained by a family violence shelter center, victims of trafficking shelter center, or sexual assault program from the requirements of Section 552.021 (Availability of Public Information) if it is information that relates to:

(1) the home address, home telephone number, or social security number of an employee or a volunteer worker of a family violence shelter center, victims of trafficking shelter center, or sexual assault program, regardless of whether the employee or worker complies with Section 552.024 (Electing to Disclose Address and Telephone Number);

(2) the location or physical layout of a family violence shelter center or victims of trafficking shelter center;

(3) the name, home address, home telephone number, or numeric identifier of a current or former client of a family violence shelter center, victims of trafficking shelter center, or sexual assault program;

(4) the provision of services, including counseling and sheltering, to a current or former client of a family violence shelter center, victims of trafficking shelter center, or sexual assault program;

(5) the name, home address, or home telephone number of a private donor to a family violence shelter center, victims of trafficking shelter center, or sexual assault program; or

(6) the home address or home telephone number of a member of the board of directors or the board of trustees of a family violence shelter center, victims of trafficking shelter center, or sexual assault program, regardless of whether the board member complies with Section 552.024.

(c) Authorizes a governmental body to redact information maintained by a family violence shelter center, victims of trafficking shelter center, or sexual assault program that may be withheld under Subsection (b)(1) or (6) from any information the governmental body discloses under Section 552.021 without the necessity of requesting a decision from the attorney general under Subchapter G (Attorney General Decisions).

SECTION 4. Amends Section 42.042, Human Resources Code, by adding Subsection (g-2), as follows:

(g-2) Requires the executive commissioner of the Health and Human Services Commission (executive commissioner) by rule to adopt minimum standards that apply to general residential operations that provide comprehensive residential and nonresidential services to persons who are victims of trafficking under Section 20A.02, Penal Code (Trafficking of Persons). Requires the executive commissioner, in adopting the minimum standards under this subsection, to consider:

(1) the special circumstances and needs of victims of trafficking of persons; and

(2) the role of the general residential operations in assisting and supporting victims of trafficking of persons.

SECTION 5. Effective date: upon passage or September 1, 2013.