| **House Bill 1272**  Senate Amendments  Section-by-Section Analysis | | |
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| HOUSE VERSION | SENATE VERSION (IE) | CONFERENCE |
| SECTION 1. Section 402.035, Government Code, is amended by amending Subsections (d) and (h) and adding Subsection (g-1) to read as follows:  (d) The task force shall:  (1) collaborate, as needed to fulfill the duties of the task force, with:  (A) United States attorneys for the districts of Texas; and  (B) special agents or customs and border protection officers and border patrol agents of:  (i) the Federal Bureau of Investigation;  (ii) the United States Drug Enforcement Administration;  (iii) the Bureau of Alcohol, Tobacco, Firearms and Explosives;  (iv) [~~the~~] United States Immigration and Customs Enforcement [~~Agency~~]; or  (v) the United States Department of Homeland Security;  (2) collect, organize, and periodically publish statistical data on the nature and extent of human trafficking in this state;  (3) solicit cooperation and assistance from state and local governmental agencies, political subdivisions of the state, nongovernmental organizations, and other persons, as appropriate, for the purpose of collecting and organizing statistical data under Subdivision (2);  (4) ensure that each state or local governmental agency and political subdivision of the state that assists in the prevention of human trafficking collects statistical data related to human trafficking, including, as appropriate:  (A) the number of investigations concerning, arrests and prosecutions for, and convictions of:  (i) the offense of trafficking of persons; and  (ii) the offense of forgery or an offense under Chapter 43, Penal Code, if committed as part of a criminal episode involving the trafficking of persons;  (B) demographic information on persons who are convicted of offenses described by Paragraph (A) and persons who are the victims of those offenses;  (C) geographic routes by which human trafficking victims are trafficked and geographic patterns in human trafficking, including the country or state of origin and the country or state of destination;  (D) means of transportation and methods used by persons who engage in trafficking to transport their victims; and  (E) social and economic factors that create a demand for the labor or services that victims of human trafficking are forced to provide;  (5) work with the Commission on Law Enforcement Officer Standards and Education to develop and conduct training for law enforcement personnel, victim service providers, and medical service providers to identify victims of human trafficking;  (6) work with the Texas Education Agency, the Department of Family and Protective Services, and the Health and Human Services Commission to:  (A) develop a list of key indicators that a person is a victim of human trafficking;  (B) develop a standardized curriculum for training doctors, nurses, emergency medical services personnel, teachers, school counselors, school administrators, and personnel from the Department of Family and Protective Services and the Health and Human Services Commission to identify and assist victims of human trafficking;  (C) train doctors, nurses, emergency medical services personnel, teachers, school counselors, school administrators, and personnel from the Department of Family and Protective Services and the Health and Human Services Commission to identify and assist victims of human trafficking;  (D) develop and conduct training for personnel from the Department of Family and Protective Services and the Health and Human Services Commission on methods for identifying children in foster care who may be at risk of becoming victims of human trafficking; and  (E) develop a process for referring identified human trafficking victims and individuals at risk of becoming victims to appropriate entities for services;  (7) on the request of a judge of a county court, county court at law, or district court or a county attorney, district attorney, or criminal district attorney, assist and train the judge or the judge's staff or the attorney or the attorney's staff in the recognition and prevention of human trafficking;  (8) [~~(7)~~] examine training protocols related to human trafficking issues, as developed and implemented by federal, state, and local law enforcement agencies;  (9) [~~(8)~~] collaborate with state and local governmental agencies, political subdivisions of the state, and nongovernmental organizations to implement a media awareness campaign in communities affected by human trafficking;  (10) [~~(9)~~] develop recommendations on how to strengthen state and local efforts to prevent human trafficking, protect and assist human trafficking victims, and prosecute human trafficking offenders; and  (11) [~~(10)~~] examine the extent to which human trafficking is associated with the operation of sexually oriented businesses, as defined by Section 243.002, Local Government Code, and the workplace or public health concerns that are created by the association of human trafficking and the operation of sexually oriented businesses.  (g-1) In this section, "emergency medical services personnel" has the meaning assigned by Section 773.003, Health and Safety Code.  (h) This section expires September 1, 2015 [~~2013~~]. | SECTION 1. Section 402.035, Government Code, is amended by amending Subsections (d) and (h) and adding Subsection (g-1) to read as follows:  (b-1) A state or local law enforcement agency, district attorney, or county attorney that assists in the prevention of human trafficking shall, at the request of the task force, cooperate and assist the task force in collecting any statistical data on the nature and extent of human trafficking in the possession of the law enforcement agency or district or county attorney. [FA1(1)]  (d) The task force shall:  (1) collaborate, as needed to fulfill the duties of the task force, with:  (A) United States attorneys for the districts of Texas; and  (B) special agents or customs and border protection officers and border patrol agents of:  (i) the Federal Bureau of Investigation;  (ii) the United States Drug Enforcement Administration;  (iii) the Bureau of Alcohol, Tobacco, Firearms and Explosives;  (iv) [~~the~~] United States Immigration and Customs Enforcement [~~Agency~~]; or  (v) the United States Department of Homeland Security;  (2) collect, organize, and periodically publish statistical data on the nature and extent of human trafficking in this state, including data described by Subdivisions (4)(A), (B), (C), (D), and (E); [FA1(2)]  (3) solicit cooperation and assistance from state and local governmental agencies, political subdivisions of the state, nongovernmental organizations, and other persons, as appropriate, for the purpose of collecting and organizing statistical data under Subdivision (2);  (4) ensure that each state or local governmental agency and political subdivision of the state and each state or local law enforcement agency, district attorney, or county attorney that assists in the prevention of human trafficking collects statistical data related to human trafficking, including, as appropriate: [FA1(3)]  (A) the number of investigations concerning, arrests and prosecutions for, and convictions of:  (i) the offense of trafficking of persons; and  (ii) the offense of forgery or an offense under Chapter 43, Penal Code, if committed as part of a criminal episode involving the trafficking of persons;  (B) demographic information on persons who are convicted of offenses described by Paragraph (A) and persons who are the victims of those offenses;  (C) geographic routes by which human trafficking victims are trafficked, including routes by which victims are trafficked across this state’s international border, and geographic patterns in human trafficking, including the country or state of origin and the country or state of destination; [FA1(4)]  (D) means of transportation and methods used by persons who engage in trafficking to transport their victims; and  (E) social and economic factors that create a demand for the labor or services that victims of human trafficking are forced to provide;  (5) work with the Commission on Law Enforcement Officer Standards and Education to develop and conduct training for law enforcement personnel, victim service providers, and medical service providers to identify victims of human trafficking;  (6) work with the Texas Education Agency, the Department of Family and Protective Services, and the Health and Human Services Commission to:  (A) develop a list of key indicators that a person is a victim of human trafficking;  (B) develop a standardized curriculum for training doctors, nurses, emergency medical services personnel, teachers, school counselors, school administrators, and personnel from the Department of Family and Protective Services and the Health and Human Services Commission to identify and assist victims of human trafficking;  (C) train doctors, nurses, emergency medical services personnel, teachers, school counselors, school administrators, and personnel from the Department of Family and Protective Services and the Health and Human Services Commission to identify and assist victims of human trafficking;  (D) develop and conduct training for personnel from the Department of Family and Protective Services and the Health and Human Services Commission on methods for identifying children in foster care who may be at risk of becoming victims of human trafficking; and  (E) develop a process for referring identified human trafficking victims and individuals at risk of becoming victims to appropriate entities for services;  (7) on the request of a judge of a county court, county court at law, or district court or a county attorney, district attorney, or criminal district attorney, assist and train the judge or the judge's staff or the attorney or the attorney's staff in the recognition and prevention of human trafficking;  (8) [~~(7)~~] examine training protocols related to human trafficking issues, as developed and implemented by federal, state, and local law enforcement agencies;  (9) [~~(8)~~] collaborate with state and local governmental agencies, political subdivisions of the state, and nongovernmental organizations to implement a media awareness campaign in communities affected by human trafficking;  (10) [~~(9)~~] develop recommendations on how to strengthen state and local efforts to prevent human trafficking, protect and assist human trafficking victims, and prosecute human trafficking offenders; and  (11) [~~(10)~~] examine the extent to which human trafficking is associated with the operation of sexually oriented businesses, as defined by Section 243.002, Local Government Code, and the workplace or public health concerns that are created by the association of human trafficking and the operation of sexually oriented businesses.  (g-1) In this section, "emergency medical services personnel" has the meaning assigned by Section 773.003, Health and Safety Code.  (h) This section expires September 1, 2015 [~~2013~~]. |  |
| SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013. | SECTION 2. Same as House version. |  |