

1-1 By: Thompson, et al. (Senate Sponsor - Huffman) H.B. No. 10  
 1-2 (In the Senate - Received from the House March 18, 2015;  
 1-3 March 25, 2015, read first time and referred to Committee on  
 1-4 Criminal Justice; April 30, 2015, reported favorably by the  
 1-5 following vote: Yeas 7, Nays 0; April 30, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Whitmire	X			
1-8 Huffman	X			
1-9 Burton	X			
1-10 Creighton	X			
1-11 Hinojosa	X			
1-12 Menéndez	X			
1-13 Perry	X			

1-15 A BILL TO BE ENTITLED  
 1-16 AN ACT

1-17 relating to certain criminal and civil consequences of trafficking  
 1-18 of persons, compelling prostitution, and certain other related  
 1-19 criminal offenses; to the prevention, prosecution, and punishment  
 1-20 of those offenses, and to compensation paid to victims of those  
 1-21 offenses.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Article 12.01, Code of Criminal Procedure, is  
 1-24 amended to read as follows:

1-25 Art. 12.01. FELONIES. Except as provided in Article 12.03,  
 1-26 felony indictments may be presented within these limits, and not  
 1-27 afterward:

1-28 (1) no limitation:

1-29 (A) murder and manslaughter;

1-30 (B) sexual assault under Section 22.011(a)(2),  
 1-31 Penal Code, or aggravated sexual assault under Section  
 1-32 22.021(a)(1)(B), Penal Code;

1-33 (C) sexual assault, if during the investigation  
 1-34 of the offense biological matter is collected and subjected to  
 1-35 forensic DNA testing and the testing results show that the matter  
 1-36 does not match the victim or any other person whose identity is  
 1-37 readily ascertained;

1-38 (D) continuous sexual abuse of young child or  
 1-39 children under Section 21.02, Penal Code;

1-40 (E) indecency with a child under Section 21.11,  
 1-41 Penal Code;

1-42 (F) an offense involving leaving the scene of an  
 1-43 accident under Section 550.021, Transportation Code, if the  
 1-44 accident resulted in the death of a person;

1-45 (G) trafficking of persons under Section  
 1-46 20A.02(a)(7) or (8), Penal Code; ~~or~~

1-47 (H) continuous trafficking of persons under  
 1-48 Section 20A.03, Penal Code; or

1-49 (I) compelling prostitution under Section  
 1-50 43.05(a)(2), Penal Code;

1-51 (2) ten years from the date of the commission of the  
 1-52 offense:

1-53 (A) theft of any estate, real, personal or mixed,  
 1-54 by an executor, administrator, guardian or trustee, with intent to  
 1-55 defraud any creditor, heir, legatee, ward, distributee,  
 1-56 beneficiary or settlor of a trust interested in such estate;

1-57 (B) theft by a public servant of government  
 1-58 property over which he exercises control in his official capacity;

1-59 (C) forgery or the uttering, using or passing of  
 1-60 forged instruments;

1-61 (D) injury to an elderly or disabled individual

2-1 punishable as a felony of the first degree under Section 22.04,  
2-2 Penal Code;  
2-3 (E) sexual assault, except as provided by  
2-4 Subdivision (1);  
2-5 (F) arson;  
2-6 (G) trafficking of persons under Section  
2-7 20A.02(a)(1), (2), (3), or (4), Penal Code; or  
2-8 (H) compelling prostitution under Section  
2-9 43.05(a)(1), Penal Code;  
2-10 (3) seven years from the date of the commission of the  
2-11 offense:  
2-12 (A) misapplication of fiduciary property or  
2-13 property of a financial institution;  
2-14 (B) securing execution of document by deception;  
2-15 (C) a felony violation under Chapter 162, Tax  
2-16 Code;  
2-17 (D) false statement to obtain property or credit  
2-18 under Section 32.32, Penal Code;  
2-19 (E) money laundering;  
2-20 (F) credit card or debit card abuse under Section  
2-21 32.31, Penal Code;  
2-22 (G) fraudulent use or possession of identifying  
2-23 information under Section 32.51, Penal Code;  
2-24 (H) Medicaid fraud under Section 35A.02, Penal  
2-25 Code; or  
2-26 (I) bigamy under Section 25.01, Penal Code,  
2-27 except as provided by Subdivision (6);  
2-28 (4) five years from the date of the commission of the  
2-29 offense:  
2-30 (A) theft or robbery;  
2-31 (B) except as provided by Subdivision (5),  
2-32 kidnapping or burglary;  
2-33 (C) injury to an elderly or disabled individual  
2-34 that is not punishable as a felony of the first degree under Section  
2-35 22.04, Penal Code;  
2-36 (D) abandoning or endangering a child; or  
2-37 (E) insurance fraud;  
2-38 (5) if the investigation of the offense shows that the  
2-39 victim is younger than 17 years of age at the time the offense is  
2-40 committed, 20 years from the 18th birthday of the victim of one of  
2-41 the following offenses:  
2-42 (A) sexual performance by a child under Section  
2-43 43.25, Penal Code;  
2-44 (B) aggravated kidnapping under Section  
2-45 20.04(a)(4), Penal Code, if the defendant committed the offense  
2-46 with the intent to violate or abuse the victim sexually; or  
2-47 (C) burglary under Section 30.02, Penal Code, if  
2-48 the offense is punishable under Subsection (d) of that section and  
2-49 the defendant committed the offense with the intent to commit an  
2-50 offense described by Subdivision (1)(B) or (D) of this article or  
2-51 Paragraph (B) of this subdivision;  
2-52 (6) ten years from the 18th birthday of the victim of  
2-53 the offense:  
2-54 (A) trafficking of persons under Section  
2-55 20A.02(a)(5) or (6), Penal Code;  
2-56 (B) injury to a child under Section 22.04, Penal  
2-57 Code; or  
2-58 (C) ~~[compelling prostitution under Section~~  
2-59 ~~43.05(a)(2), Penal Code; or~~  
2-60 ~~[(D)]~~ bigamy under Section 25.01, Penal Code, if  
2-61 the investigation of the offense shows that the person, other than  
2-62 the legal spouse of the defendant, whom the defendant marries or  
2-63 purports to marry or with whom the defendant lives under the  
2-64 appearance of being married is younger than 18 years of age at the  
2-65 time the offense is committed; or  
2-66 (7) three years from the date of the commission of the  
2-67 offense: all other felonies.  
2-68 SECTION 2. Article 56.32(a)(14), Code of Criminal  
2-69 Procedure, is amended to read as follows:

3-1 (14) "Trafficking of persons" means any offense that  
3-2 results in a person engaging in forced labor or services, including  
3-3 sexual conduct, and that may be prosecuted under Section 20A.02,  
3-4 20A.03, 43.03, 43.04, 43.05, 43.25, 43.251, or 43.26, Penal Code.

3-5 SECTION 3. Article 56.41, Code of Criminal Procedure, is  
3-6 amended by adding Subsection (b-1) to read as follows:

3-7 (b-1) Subsection (b)(3) does not apply to a claimant or  
3-8 victim who seeks compensation for criminally injurious conduct that  
3-9 is:

3-10 (1) in violation of Section 20A.02(a)(7), Penal Code;  
3-11 or

3-12 (2) trafficking of persons, other than an offense  
3-13 described by Subdivision (1), if the criminally injurious conduct  
3-14 the claimant or victim participated in was the result of force,  
3-15 fraud, or coercion.

3-16 SECTION 4. Article 56.45, Code of Criminal Procedure, is  
3-17 amended to read as follows:

3-18 Art. 56.45. DENIAL OR REDUCTION OF AWARD. (a) The attorney  
3-19 general may deny or reduce an award otherwise payable:

3-20 (1) if the claimant or victim has not substantially  
3-21 cooperated with an appropriate law enforcement agency;

3-22 (2) if the claimant or victim bears a share of the  
3-23 responsibility for the act or omission giving rise to the claim  
3-24 because of the claimant's or victim's behavior;

3-25 (3) to the extent that pecuniary loss is recouped from  
3-26 a collateral source; or

3-27 (4) if the claimant or victim was engaging in an  
3-28 activity that at the time of the criminally injurious conduct was  
3-29 prohibited by law or a rule made under law.

3-30 (b) Subsection (a)(4) does not apply to a claimant or victim  
3-31 who seeks compensation for criminally injurious conduct that is:

3-32 (1) in violation of Section 20A.02(a)(7), Penal Code;  
3-33 or

3-34 (2) trafficking of persons, other than an offense  
3-35 described by Subdivision (1), if the activity the claimant or  
3-36 victim engaged in was the result of force, fraud, or coercion.

3-37 SECTION 5. Article 62.001(5), Code of Criminal Procedure,  
3-38 is amended to read as follows:

3-39 (5) "Reportable conviction or adjudication" means a  
3-40 conviction or adjudication, including an adjudication of  
3-41 delinquent conduct or a deferred adjudication, that, regardless of  
3-42 the pendency of an appeal, is a conviction for or an adjudication  
3-43 for or based on:

3-44 (A) a violation of Section 21.02 (Continuous  
3-45 sexual abuse of young child or children), 21.11 (Indecency with a  
3-46 child), 22.011 (Sexual assault), 22.021 (Aggravated sexual  
3-47 assault), or 25.02 (Prohibited sexual conduct), Penal Code;

3-48 (B) a violation of Section 43.05 (Compelling  
3-49 prostitution), 43.25 (Sexual performance by a child), or 43.26  
3-50 (Possession or promotion of child pornography), Penal Code;

3-51 (B-1) a violation of Section 43.02  
3-52 (Prostitution), Penal Code, if the offense is punishable under  
3-53 Subsection (c)(3) of that section;

3-54 (C) a violation of Section 20.04(a)(4)  
3-55 (Aggravated kidnapping), Penal Code, if the actor committed the  
3-56 offense or engaged in the conduct with intent to violate or abuse  
3-57 the victim sexually;

3-58 (D) a violation of Section 30.02 (Burglary),  
3-59 Penal Code, if the offense or conduct is punishable under  
3-60 Subsection (d) of that section and the actor committed the offense  
3-61 or engaged in the conduct with intent to commit a felony listed in  
3-62 Paragraph (A) or (C);

3-63 (E) a violation of Section 20.02 (Unlawful  
3-64 restraint), 20.03 (Kidnapping), or 20.04 (Aggravated kidnapping),  
3-65 Penal Code, if, as applicable:

3-66 (i) the judgment in the case contains an  
3-67 affirmative finding under Article 42.015; or

3-68 (ii) the order in the hearing or the papers  
3-69 in the case contain an affirmative finding that the victim or

4-1 intended victim was younger than 17 years of age;  
 4-2 (F) the second violation of Section 21.08  
 4-3 (Indecent exposure), Penal Code, but not if the second violation  
 4-4 results in a deferred adjudication;

4-5 (G) an attempt, conspiracy, or solicitation, as  
 4-6 defined by Chapter 15, Penal Code, to commit an offense or engage in  
 4-7 conduct listed in Paragraph (A), (B), (C), (D), (E), or (K);

4-8 (H) a violation of the laws of another state,  
 4-9 federal law, the laws of a foreign country, or the Uniform Code of  
 4-10 Military Justice for or based on the violation of an offense  
 4-11 containing elements that are substantially similar to the elements  
 4-12 of an offense listed under Paragraph (A), (B), (B-1), (C), (D), (E),  
 4-13 (G), (J), or (K), but not if the violation results in a deferred  
 4-14 adjudication;

4-15 (I) the second violation of the laws of another  
 4-16 state, federal law, the laws of a foreign country, or the Uniform  
 4-17 Code of Military Justice for or based on the violation of an offense  
 4-18 containing elements that are substantially similar to the elements  
 4-19 of the offense of indecent exposure, but not if the second violation  
 4-20 results in a deferred adjudication;

4-21 (J) a violation of Section 33.021 (Online  
 4-22 solicitation of a minor), Penal Code; or

4-23 (K) a violation of Section 20A.02(a)(3), (4),  
 4-24 (7), or (8) (Trafficking of persons), Penal Code.

4-25 SECTION 6. Section 38.004(a), Education Code, is amended to  
 4-26 read as follows:

4-27 (a) The agency shall develop a policy governing the reports  
 4-28 of child abuse or neglect, including reports related to the  
 4-29 trafficking of a child under Section 20A.02(a)(5), (6), (7), or  
 4-30 (8), Penal Code, as required by Chapter 261, Family Code, for [of]  
 4-31 school districts, open-enrollment charter schools, and their  
 4-32 employees. The policy must provide for cooperation with law  
 4-33 enforcement child abuse investigations without the consent of the  
 4-34 child's parents if necessary, including investigations by the  
 4-35 Department of Family and Protective Services. The policy must  
 4-36 require each school district and open-enrollment charter school  
 4-37 employee to report child abuse or neglect, including the  
 4-38 trafficking of a child under Section 20A.02(a)(5) or (7), Penal  
 4-39 Code, in the manner required by Chapter 261, Family Code. Each  
 4-40 school district and open-enrollment charter school shall adopt the  
 4-41 policy.

4-42 SECTION 7. Section 22.011, Government Code, is amended to  
 4-43 read as follows:

4-44 Sec. 22.011. JUDICIAL INSTRUCTION RELATED TO FAMILY  
 4-45 VIOLENCE, SEXUAL ASSAULT, TRAFFICKING OF PERSONS, AND CHILD ABUSE.

4-46 (a) The supreme court shall provide judicial training related to  
 4-47 the problems of family violence, sexual assault, trafficking of  
 4-48 persons, and child abuse and to issues concerning sex offender  
 4-49 characteristics.

4-50 (d) The instruction must include information about:

4-51 (1) statutory and case law relating to videotaping a  
 4-52 child's testimony and relating to competency of children to  
 4-53 testify;

4-54 (2) methods for eliminating the trauma to the child  
 4-55 caused by the court process;

4-56 (3) case law, statutory law, and procedural rules  
 4-57 relating to family violence, sexual assault, trafficking of  
 4-58 persons, and child abuse;

4-59 (4) methods for providing protection for victims of  
 4-60 family violence, sexual assault, trafficking of persons, or child  
 4-61 abuse;

4-62 (5) available community and state resources for  
 4-63 counseling and other aid to victims and to offenders;

4-64 (6) gender bias in the judicial process;

4-65 (7) dynamics and effects of being a victim of family  
 4-66 violence, sexual assault, trafficking of persons, or child abuse;  
 4-67 and

4-68 (8) issues concerning sex offender characteristics.

4-69 SECTION 8. The heading to Section 22.110, Government Code,

5-1 is amended to read as follows:

5-2 Sec. 22.110. JUDICIAL INSTRUCTION RELATED TO FAMILY  
5-3 VIOLENCE, SEXUAL ASSAULT, TRAFFICKING OF PERSONS, AND CHILD ABUSE  
5-4 AND NEGLECT.

5-5 SECTION 9. Sections 22.110(a), (b), and (d), Government  
5-6 Code, are amended to read as follows:

5-7 (a) The court of criminal appeals shall assure that judicial  
5-8 training related to the problems of family violence, sexual  
5-9 assault, trafficking of persons, and child abuse and neglect is  
5-10 provided.

5-11 (b) The court of criminal appeals shall adopt the rules  
5-12 necessary to accomplish the purposes of this section. The rules  
5-13 must require each district judge, judge of a statutory county  
5-14 court, associate judge appointed under Chapter 54A of this code or  
5-15 Chapter 201, Family Code, master, referee, and magistrate to  
5-16 complete at least 12 hours of the training within the judge's first  
5-17 term of office or the judicial officer's first four years of service  
5-18 and provide a method for certification of completion of that  
5-19 training. At least four hours of the training must be dedicated to  
5-20 issues related to trafficking of persons and child abuse and  
5-21 neglect and must cover at least two of the topics described in  
5-22 Subsections (d)(8)-(12). At least six hours of the training must be  
5-23 dedicated to the training described by Subsections (d)(5), (6), and  
5-24 (7). The rules must require each judge and judicial officer to  
5-25 complete an additional five hours of training during each  
5-26 additional term in office or four years of service. At least two  
5-27 hours of the additional training must be dedicated to issues  
5-28 related to trafficking of persons and child abuse and neglect. The  
5-29 rules must exempt from the training requirement of this subsection  
5-30 each judge or judicial officer who files an affidavit stating that  
5-31 the judge or judicial officer does not hear any cases involving  
5-32 family violence, sexual assault, trafficking of persons, or child  
5-33 abuse and neglect.

5-34 (d) The instruction must include information about:

5-35 (1) statutory and case law relating to videotaping a  
5-36 child's testimony and relating to competency of children to  
5-37 testify;

5-38 (2) methods for eliminating the trauma to the child  
5-39 caused by the court process;

5-40 (3) case law, statutory law, and procedural rules  
5-41 relating to family violence, sexual assault, trafficking of  
5-42 persons, and child abuse and neglect;

5-43 (4) methods for providing protection for victims of  
5-44 family violence, sexual assault, trafficking of persons, and child  
5-45 abuse and neglect;

5-46 (5) available community and state resources for  
5-47 counseling and other aid to victims and to offenders;

5-48 (6) gender bias in the judicial process;

5-49 (7) dynamics and effects of being a victim of family  
5-50 violence, sexual assault, trafficking of persons, or child abuse  
5-51 and neglect;

5-52 (8) dynamics of sexual abuse of children, including  
5-53 child abuse accommodation syndrome and grooming;

5-54 (9) impact of substance abuse on an unborn child and on  
5-55 a person's ability to care for a child;

5-56 (10) issues of attachment and bonding between children  
5-57 and caregivers;

5-58 (11) issues of child development that pertain to  
5-59 trafficking of persons and child abuse and neglect; and

5-60 (12) medical findings regarding physical abuse,  
5-61 sexual abuse, trafficking of persons, and child abuse and neglect.

5-62 SECTION 10. Section 402.035, Government Code, is amended by  
5-63 amending Subsections (c), (d), and (h) and adding Subsections (f-1)  
5-64 and (f-2) to read as follows:

5-65 (c) The task force is composed of the following:

5-66 (1) the governor or the governor's designee;

5-67 (2) the attorney general or the attorney general's  
5-68 designee;

5-69 (3) the executive commissioner of the Health and Human

6-1 Services Commission or the executive commissioner's designee;  
6-2 (4) the commissioner of the Department of Family and  
6-3 Protective Services or the commissioner's designee;  
6-4 (5) the commissioner of the Department of State Health  
6-5 Services or the commissioner's designee;  
6-6 (6) the public safety director of the Department of  
6-7 Public Safety or the director's designee;  
6-8 (7) one representative from each of the following  
6-9 state agencies, appointed by the chief administrative officer of  
6-10 the respective agency:  
6-11 (A) the Texas Workforce Commission;  
6-12 (B) the Texas Department of Criminal Justice;  
6-13 (C) the Texas Juvenile Justice Department [~~Youth~~  
6-14 ~~Commission~~];  
6-15 (D) the Texas Education Agency [~~Juvenile~~  
6-16 ~~Probation Commission~~]; [~~and~~]  
6-17 (E) the Texas Alcoholic Beverage Commission;  
6-18 [~~and~~]  
6-19 (F) the Texas Parks and Wildlife Department; and  
6-20 (G) the Supreme Court of Texas Permanent Judicial  
6-21 Commission for Children, Youth and Families; and  
6-22 (8) as appointed by the attorney general:  
6-23 (A) a chief public defender employed by a public  
6-24 defender's office, as defined by Article 26.044(a), Code of  
6-25 Criminal Procedure, or an attorney designated by the chief public  
6-26 defender;  
6-27 (B) an attorney representing the state;  
6-28 (C) a representative of:  
6-29 (i) a hotel and motel association;  
6-30 (ii) a district and county attorneys  
6-31 association; and  
6-32 (iii) a state police association;  
6-33 (D) representatives of sheriff's departments;  
6-34 (E) representatives of local law enforcement  
6-35 agencies affected by human trafficking; and  
6-36 (F) representatives of nongovernmental entities  
6-37 making comprehensive efforts to combat human trafficking by:  
6-38 (i) identifying human trafficking victims;  
6-39 (ii) providing legal or other services to  
6-40 human trafficking victims;  
6-41 (iii) participating in community outreach  
6-42 or public awareness efforts regarding human trafficking;  
6-43 (iv) providing or developing training  
6-44 regarding the prevention of human trafficking; or  
6-45 (v) engaging in other activities designed  
6-46 to prevent human trafficking.  
6-47 (d) The task force shall:  
6-48 (1) collaborate, as needed to fulfill the duties of  
6-49 the task force, with:  
6-50 (A) United States Attorneys' Offices [~~attorneys~~]  
6-51 for all of the federal districts of Texas; and  
6-52 (B) special agents or customs and border  
6-53 protection officers and border patrol agents of:  
6-54 (i) the Federal Bureau of Investigation;  
6-55 (ii) the United States Drug Enforcement  
6-56 Administration;  
6-57 (iii) the Bureau of Alcohol, Tobacco,  
6-58 Firearms and Explosives;  
6-59 (iv) United States Immigration and Customs  
6-60 Enforcement; or  
6-61 (v) the United States Department of  
6-62 Homeland Security;  
6-63 (2) collect, organize, and periodically publish  
6-64 statistical data on the nature and extent of human trafficking in  
6-65 this state, including data described by Subdivisions (4)(A), (B),  
6-66 (C), (D), and (E);  
6-67 (3) solicit cooperation and assistance from state and  
6-68 local governmental agencies, political subdivisions of the state,  
6-69 nongovernmental organizations, and other persons, as appropriate,

7-1 for the purpose of collecting and organizing statistical data under  
7-2 Subdivision (2);  
7-3 (4) ensure that each state or local governmental  
7-4 agency and political subdivision of the state and each state or  
7-5 local law enforcement agency, district attorney, or county attorney  
7-6 that assists in the prevention of human trafficking collects  
7-7 statistical data related to human trafficking, including, as  
7-8 appropriate:  
7-9 (A) the number of investigations concerning,  
7-10 arrests and prosecutions for, and convictions of:  
7-11 (i) the offense of trafficking of persons;  
7-12 and  
7-13 (ii) the offense of forgery or an offense  
7-14 under Chapter 43, Penal Code, if committed as part of a criminal  
7-15 episode involving the trafficking of persons;  
7-16 (B) demographic information on persons who are  
7-17 convicted of offenses described by Paragraph (A) and persons who  
7-18 are the victims of those offenses;  
7-19 (C) geographic routes by which human trafficking  
7-20 victims are trafficked, including routes by which victims are  
7-21 trafficked across this state's international border, and  
7-22 geographic patterns in human trafficking, including the country or  
7-23 state of origin and the country or state of destination;  
7-24 (D) means of transportation and methods used by  
7-25 persons who engage in trafficking to transport their victims; and  
7-26 (E) social and economic factors that create a  
7-27 demand for the labor or services that victims of human trafficking  
7-28 are forced to provide;  
7-29 (5) work with the Texas Commission on Law Enforcement  
7-30 [~~Officer Standards and Education~~] to develop and conduct training  
7-31 for law enforcement personnel, victim service providers, and  
7-32 medical service providers to identify victims of human trafficking;  
7-33 (6) work with the Texas Education Agency, the  
7-34 Department of Family and Protective Services, and the Health and  
7-35 Human Services Commission to:  
7-36 (A) develop a list of key indicators that a  
7-37 person is a victim of human trafficking;  
7-38 (B) develop a standardized curriculum for  
7-39 training doctors, nurses, emergency medical services personnel,  
7-40 teachers, school counselors, school administrators, and personnel  
7-41 from the Department of Family and Protective Services and the  
7-42 Health and Human Services Commission to identify and assist victims  
7-43 of human trafficking;  
7-44 (C) train doctors, nurses, emergency medical  
7-45 services personnel, teachers, school counselors, school  
7-46 administrators, and personnel from the Department of Family and  
7-47 Protective Services and the Health and Human Services Commission to  
7-48 identify and assist victims of human trafficking;  
7-49 (D) develop and conduct training for personnel  
7-50 from the Department of Family and Protective Services and the  
7-51 Health and Human Services Commission on methods for identifying  
7-52 children in foster care who may be at risk of becoming victims of  
7-53 human trafficking; and  
7-54 (E) develop a process for referring identified  
7-55 human trafficking victims and individuals at risk of becoming  
7-56 victims to appropriate entities for services;  
7-57 (7) on the request of a judge of a county court, county  
7-58 court at law, or district court or a county attorney, district  
7-59 attorney, or criminal district attorney, assist and train the judge  
7-60 or the judge's staff or the attorney or the attorney's staff in the  
7-61 recognition and prevention of human trafficking;  
7-62 (8) examine training protocols related to human  
7-63 trafficking issues, as developed and implemented by federal, state,  
7-64 and local law enforcement agencies;  
7-65 (9) collaborate with state and local governmental  
7-66 agencies, political subdivisions of the state, and nongovernmental  
7-67 organizations to implement a media awareness campaign in  
7-68 communities affected by human trafficking;  
7-69 (10) develop recommendations on how to strengthen

8-1 state and local efforts to prevent human trafficking, protect and  
8-2 assist human trafficking victims, and investigate and prosecute  
8-3 human trafficking offenders; and

8-4 (11) examine the extent to which human trafficking is  
8-5 associated with the operation of sexually oriented businesses, as  
8-6 defined by Section 243.002, Local Government Code, and the  
8-7 workplace or public health concerns that are created by the  
8-8 association of human trafficking and the operation of sexually  
8-9 oriented businesses.

8-10 (f-1) The following state agencies shall designate an  
8-11 individual who is authorized to coordinate the agency's resources  
8-12 to strengthen state and local efforts to prevent human trafficking,  
8-13 protect and assist human trafficking victims, and investigate and  
8-14 prosecute human trafficking offenders:

- 8-15 (1) the Texas Alcoholic Beverage Commission;
- 8-16 (2) the Department of Family and Protective Services;
- 8-17 (3) the Department of Public Safety;
- 8-18 (4) the Department of State Health Services;
- 8-19 (5) the Health and Human Services Commission;
- 8-20 (6) the Texas Juvenile Justice Department;
- 8-21 (7) the office of the attorney general; and
- 8-22 (8) the office of the governor.

8-23 (f-2) Each state agency shall provide to the task force the  
8-24 name of the individual designated under Subsection (f-1).

8-25 (h) This section expires September 1, 2017 [2015].

8-26 SECTION 11. Chapter 772, Government Code, is amended by  
8-27 adding Section 772.0062 to read as follows:

8-28 Sec. 772.0062. CHILD SEX TRAFFICKING PREVENTION UNIT. (a)  
8-29 In this section:

8-30 (1) "Child sex trafficking" means conduct prohibited  
8-31 under Section 20A.02(a)(7) or (8), Penal Code.

8-32 (2) "Unit" means the Child Sex Trafficking Prevention  
8-33 Unit.

8-34 (b) The governor shall establish the Child Sex Trafficking  
8-35 Prevention Unit within the criminal justice division established  
8-36 under Section 772.006.

8-37 (c) The governor shall appoint a director for the unit to  
8-38 serve at the pleasure of the governor.

8-39 (d) The unit shall:

8-40 (1) assist the following agencies in leveraging and  
8-41 coordinating state resources directed toward child sex trafficking  
8-42 prevention:

- 8-43 (A) the office of the attorney general;
- 8-44 (B) the Health and Human Services Commission;
- 8-45 (C) the Department of Family and Protective  
8-46 Services;
- 8-47 (D) the Texas Juvenile Justice Department;
- 8-48 (E) the Department of State Health Services;
- 8-49 (F) the Texas Alcoholic Beverage Commission; and
- 8-50 (G) the Department of Public Safety;

8-51 (2) facilitate collaborative efforts among the  
8-52 agencies under Subdivision (1) to:

- 8-53 (A) prevent child sex trafficking;
- 8-54 (B) recover victims of child sex trafficking; and
- 8-55 (C) place victims of child sex trafficking in  
8-56 suitable short-term and long-term housing;

8-57 (3) collect and analyze research and information in  
8-58 all areas related to child sex trafficking, and distribute the  
8-59 research, information, and analyses to the agencies and to relevant  
8-60 nonprofit organizations;

8-61 (4) refer victims of child sex trafficking to  
8-62 available rehabilitation programs and other resources;

8-63 (5) provide support for child sex trafficking  
8-64 prosecutions; and

8-65 (6) develop recommendations for improving state  
8-66 efforts to prevent child sex trafficking, to be submitted to the  
8-67 legislature as part of the criminal justice division's biennial  
8-68 report required under Section 772.006(a)(9).

8-69 SECTION 12. Section 20A.03(a), Penal Code, is amended to



9-1 read as follows:

9-2 (a) A person commits an offense if, during a period that is  
9-3 30 or more days in duration, the person engages two or more times in  
9-4 conduct that constitutes an offense under Section 20A.02 against  
9-5 one or more victims.

9-6 SECTION 13. Chapter 20A, Penal Code, is amended by adding  
9-7 Section 20A.04 to read as follows:

9-8 Sec. 20A.04. ACCOMPLICE WITNESS; TESTIMONY AND IMMUNITY.

9-9 (a) A party to an offense under this chapter may be required to  
9-10 provide evidence or testify about the offense.

9-11 (b) A party to an offense under this chapter may not be  
9-12 prosecuted for any offense about which the party is required to  
9-13 provide evidence or testify, and the evidence and testimony may not  
9-14 be used against the party in any adjudicatory proceeding except a  
9-15 prosecution for aggravated perjury. For purposes of this  
9-16 subsection, "adjudicatory proceeding" means a proceeding before a  
9-17 court or any other agency of government in which the legal rights,  
9-18 powers, duties, or privileges of specified parties are determined.

9-19 (c) A conviction under this chapter may be had on the  
9-20 uncorroborated testimony of a party to the offense.

9-21 SECTION 14. Section 43.02(c), Penal Code, is amended to  
9-22 read as follows:

9-23 (c) An offense under this section is a Class B misdemeanor,  
9-24 except that the offense is:

9-25 (1) a Class A misdemeanor if the actor has previously  
9-26 been convicted one or two times of an offense under this section;

9-27 (2) a state jail felony if the actor has previously  
9-28 been convicted three or more times of an offense under this section;  
9-29 or

9-30 (3) a felony of the second degree if the person  
9-31 solicited is:

9-32 (A) younger than 18 years of age, regardless of  
9-33 whether the actor knows the age of the person solicited at the time  
9-34 the actor commits the offense;

9-35 (B) represented to the actor as being younger  
9-36 than 18 years of age; or

9-37 (C) believed by the actor to be younger than 18  
9-38 years of age.

9-39 SECTION 15. The change in law made by this Act to Article  
9-40 12.01, Code of Criminal Procedure, does not apply to an offense if  
9-41 the prosecution of that offense becomes barred by limitation before  
9-42 the effective date of this Act. The prosecution of that offense  
9-43 remains barred as if this Act had not taken effect.

9-44 SECTION 16. The changes in law made by this Act to Chapter  
9-45 56, Code of Criminal Procedure, apply only to a criminal offense  
9-46 committed or a violation that occurs on or after the effective date  
9-47 of this Act. A criminal offense committed or a violation that  
9-48 occurs before the effective date of this Act is governed by the law  
9-49 in effect on the date the offense was committed or the violation  
9-50 occurred, and the former law is continued in effect for that  
9-51 purpose. For purposes of this section, a criminal offense was  
9-52 committed or a violation occurred before the effective date of this  
9-53 Act if any element of the offense or violation occurred before that  
9-54 date.

9-55 SECTION 17. The changes in law made by this Act to Article  
9-56 62.001(5), Code of Criminal Procedure, and Sections 20A.03 and  
9-57 43.02, Penal Code, apply only to an offense committed on or after  
9-58 the effective date of this Act. An offense committed before the  
9-59 effective date of this Act is governed by the law in effect on the  
9-60 date the offense was committed, and the former law is continued in  
9-61 effect for that purpose. For purposes of this section, an offense  
9-62 was committed before the effective date of this Act if any element  
9-63 of the offense occurred before that date.

9-64 SECTION 18. (a) Not later than December 1, 2015, the  
9-65 Supreme Court of Texas shall adopt the rules necessary to provide  
9-66 the training required under Section 22.011, Government Code, as  
9-67 amended by this Act.

9-68 (b) Not later than December 1, 2015, the Texas Court of  
9-69 Criminal Appeals shall adopt the rules necessary to provide the

10-1 training required under Section 22.110, Government Code, as amended  
10-2 by this Act.

10-3 (c) Notwithstanding Section 22.110, Government Code, as  
10-4 amended by this Act, a judge, master, referee, and magistrate who is  
10-5 in office on the effective date of this Act must complete the  
10-6 training required by Section 22.110, Government Code, as amended by  
10-7 this Act, as applicable, not later than December 1, 2017.

10-8 SECTION 19. The change in law made by this Act in adding  
10-9 Section 20A.04, Penal Code, applies to a criminal proceeding that  
10-10 commences on or after the effective date of this Act. A criminal  
10-11 proceeding that commences before the effective date of this Act is  
10-12 covered by the law in effect when the proceeding commenced, and the  
10-13 former law is continued in effect for that purpose.

10-14 SECTION 20. This Act takes effect September 1, 2015.

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