

By: Davis of Harris, Price,
Thompson of Harris, Leach, Coleman,
et al.

H.B. No. 1113

A BILL TO BE ENTITLED

AN ACT

relating to state contract limitations and programs for sex
trafficking prevention and victim treatment.

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

SECTION 1. Subchapter A, Chapter 2155, Government Code, is
amended by adding Section 2155.0061 to read as follows:

Sec. 2155.0061. PROHIBITION ON CERTAIN BIDS AND CONTRACTS
RELATED TO PERSONS INVOLVED IN HUMAN TRAFFICKING. (a) A state
agency may not accept a bid or award a contract, including a
contract for which purchasing authority is delegated to a state
agency, that includes proposed financial participation by a person
who, during the five-year period preceding the date of the bid or
award, has been convicted of any offense related to the direct
support or promotion of human trafficking.

(b) A bid or award subject to the requirements of this
section must include the following statement:

"Under Section 2155.0061, Government Code, the vendor
certifies that the individual or business entity named in this bid
or contract is not ineligible to receive the specified contract and
acknowledges that this contract may be terminated and payment
withheld if this certification is inaccurate."

(c) If a state agency determines that an individual or
business entity holding a state contract was ineligible to have the
bid accepted or contract awarded under this section, the state
agency may immediately terminate the contract without further

1 obligation to the vendor.

2 (d) This section does not create a cause of action to
3 contest a bid or award of a state contract.

4 SECTION 2. Section 2155.077(a-1), Government Code, is
5 amended to read as follows:

6 (a-1) The commission shall bar a vendor from participating
7 in state contracts that are subject to this subtitle, including
8 contracts for which purchasing authority is delegated to a state
9 agency, if the vendor has been:

10 (1) convicted of violating a federal law in connection
11 with a contract awarded by the federal government for relief,
12 recovery, or reconstruction efforts as a result of Hurricane Rita,
13 as defined by Section 39.459, Utilities Code, Hurricane Katrina, or
14 any other disaster occurring after September 24, 2005; ~~or~~

15 (2) assessed a penalty in a federal civil or
16 administrative enforcement action in connection with a contract
17 awarded by the federal government for relief, recovery, or
18 reconstruction efforts as a result of Hurricane Rita, as defined by
19 Section 39.459, Utilities Code, Hurricane Katrina, or any other
20 disaster occurring after September 24, 2005; or

21 (3) convicted of any offense related to the direct
22 support or promotion of human trafficking.

23 SECTION 3. Subtitle B, Title 2, Health and Safety Code, is
24 amended by adding Chapter 50 to read as follows:

1 CHAPTER 50. SEX TRAFFICKING PREVENTION AND VICTIM TREATMENT

2 PROGRAMS

3 SUBCHAPTER A. TREATMENT PROGRAM FOR VICTIMS OF CHILD SEX

4 TRAFFICKING

5 Sec. 50.0001. DEFINITIONS. In this subchapter:

6 (1) "Child sex trafficking" has the meaning assigned
7 by Section 772.0062, Government Code.

8 (2) "Program" means the treatment program for victims
9 of child sex trafficking established under this subchapter.

10 Sec. 50.0002. ESTABLISHMENT; PURPOSE. The commission, in
11 collaboration with the institution designated under Section
12 50.0003, shall establish a program to improve the quality and
13 accessibility of care for victims of child sex trafficking in this
14 state.

15 Sec. 50.0003. DESIGNATION OF INSTITUTION; OPERATION OF
16 PROGRAM. (a) The commission shall designate a health-related
17 institution of higher education to operate the program.

18 (b) The designated institution shall improve the quality
19 and accessibility of care for victims of child sex trafficking by:

20 (1) dedicating a unit at the institution to provide or
21 contract for inpatient care for victims of child sex trafficking;

22 (2) dedicating a unit at the institution to provide or
23 contract for outpatient care for victims of child sex trafficking;

24 (3) creating opportunities for research and workforce
25 expansion related to treatment of victims of child sex trafficking;
26 and

27 (4) assisting other health-related institutions of

1 higher education in this state to establish similar programs.

2 (c) The commission shall solicit and review applications
3 from health-related institutions of higher education before
4 designating an institution under this section.

5 Sec. 50.0004. FUNDING. In addition to money appropriated
6 by the legislature, the designated institution may accept gifts,
7 grants, and donations from any public or private person for the
8 purpose of carrying out the program.

9 Sec. 50.0005. RULES. The executive commissioner shall
10 adopt rules necessary to implement this subchapter.

11 SUBCHAPTER B. MATCHING GRANT PROGRAM FOR MUNICIPAL SEX TRAFFICKING
12 PREVENTION PROGRAMS

13 Sec. 50.0051. ESTABLISHMENT OF MATCHING GRANT PROGRAM. (a)
14 The commission shall establish a matching grant program to award to
15 a municipality a grant in an amount equal to the amount committed by
16 the municipality for the development of a sex trafficking
17 prevention needs assessment. A municipality that is awarded a
18 grant must develop the needs assessment in collaboration with a
19 local institution of higher education and on completion submit a
20 copy of the needs assessment to the commission.

21 (b) A sex trafficking prevention needs assessment developed
22 under Subsection (a) must outline:

23 (1) the prevalence of sex trafficking crimes in the
24 municipality;

25 (2) strategies for reducing the number of sex
26 trafficking crimes in the municipality; and

27 (3) the municipality's need for additional funding for

1 sex trafficking prevention programs and initiatives.

2 Sec. 50.0052. APPLICATION. (a) A municipality may apply to
3 the commission in the form and manner prescribed by the commission
4 for a matching grant under this subchapter. To qualify for a grant,
5 an applicant must:

6 (1) develop a media campaign and appoint a municipal
7 employee to oversee the program; and

8 (2) provide proof that the applicant is able to obtain
9 or secure municipal money in an amount at least equal to the amount
10 of the awarded grant.

11 (b) The commission shall review applications for a matching
12 grant submitted under this section and award matching grants to
13 each municipality that demonstrates in the application the most
14 effective strategies for reducing the number of sex trafficking
15 crimes in the municipality and the greatest need for state funding.

16 (c) The commission may provide a grant under Subsection (b)
17 only in accordance with a contract between the commission and the
18 municipality. The contract must include provisions under which the
19 commission is granted sufficient control to ensure the public
20 purpose of sex trafficking prevention is accomplished and the state
21 receives the return benefit.

22 Sec. 50.0053. FUNDING. In addition to money appropriated
23 by the legislature, the commission may solicit and accept gifts,
24 grants, or donations from any source to administer and finance the
25 matching grant program established under this subchapter.

1 SUBCHAPTER C. SEX TRAFFICKING PREVENTION GRANT PROGRAM FOR LOCAL

2 LAW ENFORCEMENT

3 Sec. 50.0101. ESTABLISHMENT OF GRANT PROGRAM. (a) The
4 office of the governor, in collaboration with the Child Sex
5 Trafficking Prevention Unit established under Section 772.0062,
6 Government Code, shall establish and administer a grant program to
7 train local law enforcement officers to recognize signs of sex
8 trafficking.

9 (b) The office of the governor may establish eligibility
10 criteria for a grant applicant.

11 (c) A grant awarded under this section must include
12 provisions under which the office of the governor is provided
13 sufficient control to ensure the public purpose of sex trafficking
14 prevention is accomplished and the state receives the return
15 benefit.

16 Sec. 50.0102. FUNDING. In addition to money appropriated
17 by the legislature, the office of the governor may solicit and
18 accept gifts, grants, or donations from any source to administer
19 and finance the grant program established under this subchapter.

20 SECTION 4. As soon as practicable after the effective date
21 of this Act:

22 (1) the executive commissioner of the Health and Human
23 Services Commission shall adopt rules as necessary to implement
24 Subchapters A and B, Chapter 50, Health and Safety Code, as added by
25 this Act; and

26 (2) the governor shall adopt rules as necessary to
27 implement Subchapter C, Chapter 50, Health and Safety Code, as

1 added by this Act.

2 SECTION 5. Section 2155.0061, Government Code, as added by
3 this Act, applies only in relation to a state contract for which the
4 request for bids or proposals or other applicable expressions of
5 interest are made public on or after the effective date of this Act.

6 SECTION 6. Section [2155.077](#), Government Code, as amended by
7 this Act, applies only to a contract entered into on or after the
8 effective date of this Act.

9 SECTION 7. This Act takes effect September 1, 2019.