

By: Thompson of Harris, Lopez, Collier

H.B. No. 3800

A BILL TO BE ENTITLED

AN ACT

relating to required reporting of human trafficking cases by certain law enforcement entities and by prosecutors.

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

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.305 to read as follows:

Art. 2.305. REPORT REQUIRED CONCERNING HUMAN TRAFFICKING CASES. (a) This article applies only to:

(1) a municipal police department, sheriff's department, constable's office, county attorney's office, district attorney's office, and criminal district attorney's office, as applicable, in a county with a population of more than 50,000; and

(2) the Department of Public Safety.

(b) An entity described by Subsection (a) that investigates the alleged commission of an offense under Chapter 20A, Penal Code, or the alleged commission of an offense under Chapter 43, Penal Code, which may involve human trafficking, shall submit to the attorney general the following information:

(1) the offense being investigated, including a brief description of the alleged prohibited conduct;

(2) regarding each person suspected of committing the offense and each victim of the offense:

(A) the person's:

(i) age;

1 (ii) gender; and
2 (iii) race or ethnicity, as defined by
3 Article 2.132; and
4 (B) the case number associated with the offense
5 and the person suspected of committing the offense;
6 (3) the date, time, and location of the alleged
7 offense;
8 (4) the type of human trafficking involved, including:
9 (A) forced labor or services, as defined by
10 Section 20A.01, Penal Code;
11 (B) causing the victim by force, fraud, or
12 coercion to engage in prohibited conduct involving one or more
13 sexual activities, including conduct described by Section
14 20A.02(a)(3), Penal Code; or
15 (C) causing a child victim by any means to engage
16 in, or become the victim of, prohibited conduct involving one or
17 more sexual activities, including conduct described by Section
18 20A.02(a)(7), Penal Code;
19 (5) if available, information regarding any victims'
20 service organization or program to which the victim was referred as
21 part of the investigation; and
22 (6) the disposition of the investigation, regardless
23 of the manner of disposition.
24 (c) An attorney representing the state who prosecutes the
25 alleged commission of an offense under Chapter 20A, Penal Code, or
26 the alleged commission of an offense under Chapter 43, Penal Code,
27 which may involve human trafficking, shall submit to the attorney

1 general the following information:

2 (1) the offense being prosecuted, including a brief
3 description of the alleged prohibited conduct;

4 (2) any other charged offense that is part of the same
5 criminal episode out of which the offense described by Subdivision
6 (1) arose;

7 (3) the information described by Subsections (b)(2),
8 (3), (4), and (5); and

9 (4) the disposition of the prosecution, regardless of
10 the manner of disposition.

11 (d) The attorney general shall enter into a contract with a
12 university that provides for the university's assistance in the
13 collection and analysis of information received under this article.

14 (e) In consultation with the entities described by
15 Subsection (a), the attorney general shall adopt rules to
16 administer this article, including rules prescribing:

17 (1) the form and manner of submission of a report
18 required by Subsection (b) or (c); and

19 (2) additional information to include in a report
20 required by Subsection (b) or (c).

21 SECTION 2. Notwithstanding Article 2.305, Code of Criminal
22 Procedure, as added by this Act:

23 (1) the Department of Public Safety of the State of
24 Texas is not required to comply with that article until August 1,
25 2020; and

26 (2) an entity described by Subsection (a) of that
27 article, other than the Department of Public Safety of the State of

1 Texas:

2 (A) if located in a county with a population of
3 more than 500,000, is not required to comply with that article until
4 August 1, 2020; and

5 (B) if located in a county with a population of
6 500,000 or less, is not required to comply with that article until
7 August 1, 2021.

8 SECTION 3. This Act takes effect September 1, 2019.