

## **BILL ANALYSIS**

Senate Research Center  
87R3026 LHC-D

H.B. 3521  
By: Hunter (Huffman)  
Jurisprudence  
5/13/2021  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Although coercion is an element of criminal offenses involving adult and child labor trafficking, the term is only defined for offenses related to adult sex trafficking. Prosecutors have suggested that this current definition hinders their ability to prove coercion as an element of certain trafficking offenses. H.B. 3521 seeks to address this issue by redefining coercion with respect to trafficking offenses to include the performance or provision of labor or services.

H.B. 3521 amends current law relating to the definition of coercion for purposes of trafficking of persons.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 20A.01, Penal Code, by adding Subdivision (1-a), as follows:

(1-a) Provides that "coercion" as defined by Section 1.07 (Definitions) includes:

(A) destroying, concealing, confiscating, or withholding from a trafficked person, or threatening to destroy, conceal, confiscate, or withhold from a trafficked person, the person's actual or purported government records, or identifying information or documents;

(B) causing a trafficked person, without the person's consent, to become intoxicated, as defined by Section 49.01 (Definitions), to a degree that impairs the person's ability to appraise the nature of or resist engaging in any conduct, including performing or providing labor or services; or

(C) withholding alcohol or a controlled substance to a degree that impairs the ability of a trafficked person with a chemical dependency, as defined by Section 462.001 (Definitions), Health and Safety Code, to appraise the nature of or resist engaging in any conduct, including performing or providing labor or services.

SECTION 2. Repealer: Section 20A.02(a-1) (relating to defining "coercion" for purposes of Subsection (a)(3) relating to certain sex trafficking offenses), Penal Code.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2021.