By:  Ellzey, et al. (Senate Sponsor - Kolkhorst) H.B. No. 3721

(In the Senate - Received from the House April 19, 2021; May 10, 2021, read first time and referred to Committee on State Affairs; May 14, 2021, reported favorably by the following vote: Yeas 8, Nays 0; May 14, 2021, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Hughes          X

Birdwell        X

Campbell        X

Hall            X

Lucio           X

Nelson          X

Powell          X

Schwertner      X

Zaffirini                X

A BILL TO BE ENTITLED

AN ACT

relating to the inclusion of information for reporting suspicious activity to the Department of Public Safety on certain human trafficking signs or notices.

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

SECTION 1.  Section 104.07, Alcoholic Beverage Code, is amended by adding Subsection (a-1) to read as follows:

(a-1)  In addition to the notice required under Subsection (a), the sign must include the contact information for reporting suspicious activity to the Department of Public Safety.

SECTION 2.  Section 102.101(b), Business & Commerce Code, is amended to read as follows:

(b)  The attorney general by rule shall prescribe the design, content, and manner of display of the sign required by this section.  The sign must:

(1)  be in both English and Spanish; [~~and~~]

(2)  include the telephone number and Internet website of the National Human Trafficking Resource Center; and

(3)  include the contact information for reporting suspicious activity to the Department of Public Safety.

SECTION 3.  Section 125.002(f-1), Civil Practice and Remedies Code, is amended to read as follows:

(f-1)  If the defendant required to execute the bond is a hotel, motel, or similar establishment that rents overnight lodging to the public and the alleged common nuisance is under Section 125.0015(a)(6) or (7), the bond must also be conditioned that the defendant will, in each of the defendant's lodging units on the premises that are the subject of the suit, post in a conspicuous place near the room rate information required to be posted under Section 2155.001, Occupations Code, a sign that includes:

(1)  an operating toll-free telephone number of a nationally recognized information and referral hotline for victims of human trafficking; and

(2)  the contact information for reporting suspicious activity to the Department of Public Safety.

SECTION 4.  Section 402.0351(b), Government Code, is amended to read as follows:

(b)  The attorney general by rule shall prescribe the design and content of a sign regarding services and assistance available to victims of human trafficking to be displayed at transportation hubs. The sign must be in both English and Spanish and include:

(1)  the telephone number and Internet website of the National Human Trafficking Resource Center; [~~and~~]

(2)  the contact information for reporting suspicious activity to the Department of Public Safety; and

(3)  the key indicators that a person is a victim of human trafficking.

SECTION 5.  Section 245.025, Health and Safety Code, is amended by adding Subsection (a-1) to read as follows:

(a-1)  In addition to the information required under Subsection (a), the sign must include the contact information for reporting suspicious activity to the Department of Public Safety.

SECTION 6.  Section 455.207(b), Occupations Code, is amended to read as follows:

(b)  The sign required by this section must:

(1)  be in English, Spanish, Korean, Mandarin, and any other language required by commission rule;

(2)  include a toll-free telephone number of a nationally recognized information and referral hotline for victims of human trafficking; [~~and~~]

(3)  include the contact information for reporting suspicious activity to the Department of Public Safety; and

(4)  be displayed in a conspicuous place clearly visible to the public.

SECTION 7.  Section 1602.408(c), Occupations Code, is amended to read as follows:

(c)  The sign required by this section must be in English, Spanish, and Vietnamese and include:

(1)  a toll-free telephone number of a nationally recognized information and referral hotline for victims of human trafficking; and

(2)  the contact information for reporting suspicious activity to the Department of Public Safety.

SECTION 8.  Not later than December 1, 2021, the Texas Alcoholic Beverage Commission shall, in collaboration with the Department of Public Safety of the State of Texas, develop guidance for compliance with and notify affected license and permit holders of the change in law made by this Act to Section 104.07, Alcoholic Beverage Code.

SECTION 9.  (a)  Not later than December 1, 2021, the attorney general shall, in collaboration with the Department of Public Safety of the State of Texas, adopt the rules necessary to implement the changes in law made by this Act to Section 102.101, Business & Commerce Code, and Section 402.0351, Government Code.

(b)  Not later than January 1, 2022:

(1)  a sexually oriented business shall comply with Section 102.101, Business & Commerce Code, as amended by this Act; and

(2)  a transportation hub shall comply with Section 402.0351, Government Code, as amended by this Act.

SECTION 10.  The change in law made by this Act to Section 125.002, Civil Practice and Remedies Code, applies only to a suit filed on or after the effective date of this Act. A suit filed before the effective date of this Act is governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.

SECTION 11.  (a)  Not later than December 1, 2021, the executive commissioner of the Health and Human Services Commission shall, in collaboration with the Department of Public Safety of the State of Texas, adopt the rules necessary to implement the change in law made by this Act to Section 245.025, Health and Safety Code.

(b)  Not later than January 1, 2022, a hospital or abortion facility shall comply with Section 245.025, Health and Safety Code, as amended by this Act.

SECTION 12.  (a)  Not later than December 1, 2021, the Texas Commission of Licensing and Regulation shall, in collaboration with the Department of Public Safety of the State of Texas, adopt the rules necessary to implement the changes in law made by this Act to Sections 455.207 and 1602.408, Occupations Code.

(b)  Not later than January 1, 2022:

(1)  a massage establishment or massage school shall comply with Section 455.207, Occupations Code, as amended by this Act; and

(2)  a licensed facility as defined by Section 1602.408(a), Occupations Code, shall comply with Section 1602.408, Occupations Code, as amended by this Act.

SECTION 13.  This Act takes effect September 1, 2021.

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