

By: Parker, Meyer, Rose, Oliverson,  
Thompson of Harris

H.B. No. 3718

Substitute the following for H.B. No. 3718:

By: Thompson of Harris

C.S.H.B. No. 3718

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the requirement that certain entities post human  
3 trafficking signs; providing a civil penalty.

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

5 SECTION 1. Section [402.0351](#), Government Code, is amended to  
6 read as follows:

7 Sec. 402.0351. REQUIRED POSTING OF HUMAN TRAFFICKING SIGNS  
8 BY [AT] CERTAIN ENTITIES; CIVIL PENALTY [TRANSPORTATION HUBS]. (a)  
9 In this section:

10 (1) "Cosmetology facility" means a person who holds a  
11 license to operate a facility or school under Chapter [1602](#),  
12 Occupations Code.

13 (2) "Council" means the human trafficking prevention  
14 coordinating council established under Section [402.034](#).

15 (3) "Hospital" has the meaning assigned by Section  
16 [241.003](#), Health and Safety Code.

17 (4) "Hotel" has the meaning assigned by Section  
18 [2155.051](#), Occupations Code.

19 (5) "Massage establishment" and "massage school" have  
20 the meanings assigned by Section [455.001](#), Occupations Code.

21 (6) "Sexually oriented business" has the meaning  
22 assigned by Section [243.002](#), Local Government Code.

23 (7) "Transportation [~~,"~~ "transportation] hub" means a  
24 bus, bus stop, train, train station, rest area, gas station with

1 adjacent convenience store, or airport.

2 (a-1) Except as provided by Subsection (a-3), a person who  
3 operates any of the following business entities shall post at the  
4 entity the sign prescribed under Subsection (b), or, if applicable,  
5 a similar sign or notice as prescribed by other state law:

6 (1) an entity permitted or licensed under Chapter 25,  
7 26, 28, 32, 69, or 71, Alcoholic Beverage Code, other than an entity  
8 holding a food and beverage certificate;

9 (2) a cosmetology facility;

10 (3) a hospital;

11 (4) a hotel;

12 (5) a massage establishment;

13 (6) a massage school;

14 (7) a sexually oriented business; or

15 (8) a transportation hub.

16 (a-2) The Parks and Wildlife Department shall post the sign  
17 prescribed under Subsection (b), or a substantially similar sign,  
18 in the manner prescribed by Subsection (d) at each state park and  
19 other recreational site under the department's jurisdiction.

20 (a-3) Notwithstanding any other law, a state agency that  
21 enforces another state law that requires a person described by  
22 Subsection (a-1) to post a sign or notice relating to human  
23 trafficking may by rule authorize the person to use the sign  
24 prescribed by the attorney general under Subsection (b) in lieu of  
25 the sign or notice required by the other law.

26 (b) The attorney general by rule shall prescribe the design  
27 and content of a sign required to be posted under this section. The

1 sign must:

2 (1) contain information regarding services and  
3 assistance available to victims of human trafficking;

4 (2) [~~to be displayed at transportation hubs. The sign~~  
5 ~~must~~] be in [~~both~~] English, [~~and~~] Spanish, and any other language  
6 determined appropriate by the attorney general in consultation with  
7 the council; and

8 (3) include:

9 (A) a toll-free [~~(1) the~~] telephone number and  
10 Internet website for accessing human trafficking resources [~~of the~~  
11 ~~National Human Trafficking Resource Center~~]; and

12 (B) [~~(2)~~] the key indicators that a person is a  
13 victim of human trafficking.

14 (c) The attorney general shall develop the sign that  
15 complies with the requirements of Subsection (b) and make the sign  
16 available on the attorney general's Internet website to persons [~~by~~  
17 ~~rule shall prescribe the transportation hubs that are~~] required to  
18 post a sign under this section and to the public [~~described by~~  
19 ~~Subsection (b)~~].

20 (d) [~~A person who operates a transportation hub that is~~  
21 ~~required to post a sign under Subsection (c) shall post a sign~~  
22 ~~described by Subsection (b) at the transportation hub.~~] The  
23 attorney general[+]

24 [~~(1)~~] by rule shall prescribe the best practices for  
25 the manner in which the sign must be displayed [~~at the~~  
26 ~~transportation hub~~] and any exceptions to the sign posting  
27 requirement. The rules:

1           (1) must require that at a minimum the sign be posted  
2 in:

3                   (A) each public restroom of the entity; or

4                   (B) a conspicuous place that is either:

5                           (i) near the public entrance of the entity;

6 or

7                           (ii) in clear view of the public and  
8 employees and near the location similar notices are customarily  
9 posted [~~under this section~~]; and

10           (2) may require that the sign be a certain size and  
11 that the notice be displayed in a certain font and type size [~~shall~~  
12 enforce this section].

13           (e) In adopting the rules under this section [~~Subsection~~  
14 ~~(b)~~], the attorney general shall consult with the council [~~Texas~~  
15 ~~Department of Transportation~~].

16           (f) If the attorney general becomes aware that a person is  
17 in violation or may be in violation of a law enforced by another  
18 state agency that requires the posting of a sign or notice relating  
19 to human trafficking, the attorney general may notify the  
20 appropriate state agency of the violation or potential violation.

21           (g) The attorney general shall issue a warning to a person  
22 described by Subsection (a-1) for a first violation of a rule  
23 adopted under this section. After receiving a warning for the first  
24 violation, a person who violates a rule adopted under this section  
25 is subject to a civil penalty in the amount of \$200 for each  
26 subsequent violation. Each day a violation continues is a separate  
27 violation.

1           SECTION 2. Not later than January 1, 2022, the attorney  
2 general shall:

3                   (1) in consultation with the human trafficking  
4 prevention coordinating council, adopt rules necessary to  
5 implement Section [402.0351](#), Government Code, as amended by this  
6 Act, including rules prescribing the content and design of the sign  
7 required by that section; and

8                   (2) make the sign available on the attorney general's  
9 Internet website as required by Section [402.0351\(c\)](#), Government  
10 Code, as amended by this Act.

11           SECTION 3. This Act takes effect September 1, 2021.