

AN ACT

relating to the punishment for trafficking of persons, online solicitation of a minor, and prostitution and to the dissemination of certain information, including the required posting of certain signs, regarding human trafficking; increasing criminal penalties; providing a civil penalty.

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

SECTION 1. This Act may be cited as the No Trafficking Zone Act.

SECTION 2. Subchapter C, Chapter 37, Education Code, is amended by adding Section 37.086 to read as follows:

Sec. 37.086. REQUIRED POSTING OF WARNING SIGNS OF INCREASED TRAFFICKING PENALTIES. (a) In this section:

(1) "Premises" has the meaning assigned by Section 481.134, Health and Safety Code.

(2) "School" means a public or private primary or secondary school.

(b) Each school shall post warning signs of the increased penalties for trafficking of persons under Section 20A.02(b-1)(2), Penal Code, at the following locations:

(1) parallel to and along the exterior boundaries of the school's premises;

(2) at each roadway or other way of access to the premises;

1           (3) for premises not fenced, at least every five  
2 hundred feet along the exterior boundaries of the premises;

3           (4) at each entrance to the premises; and

4           (5) at conspicuous places reasonably likely to be  
5 viewed by all persons entering the premises.

6           (c) The agency, in consultation with the human trafficking  
7 prevention task force created under Section 402.035, Government  
8 Code, shall adopt rules regarding the placement, installation,  
9 design, size, wording, and maintenance procedures for the warning  
10 signs required under this section. The rules must require that each  
11 warning sign:

12           (1) include a description of the provisions of Section  
13 20A.02(b-1), Penal Code, including the penalties for violating that  
14 section;

15           (2) be written in English and Spanish; and

16           (3) be at least 8-1/2 by 11 inches in size.

17           (d) The agency shall provide each school without charge the  
18 number of warning signs required to comply with this section and  
19 rules adopted under this section. If the agency is unable to  
20 provide each school with the number of signs necessary to comply  
21 with Subsection (b), the agency may:

22           (1) provide to a school fewer signs than the number  
23 necessary to comply with that section; and

24           (2) prioritize distribution of signs to schools based  
25 on reports of criminal activity in the areas near that school.

26           SECTION 3. (a) Notwithstanding Section 1 of this Act, this  
27 section shall be known as the Julia Wells Act.

1 (b) Subchapter C, Chapter 1001, Education Code, is amended  
2 by adding Section 1001.1021 to read as follows:

3 Sec. 1001.1021. HUMAN TRAFFICKING PREVENTION INFORMATION.

4 (a) The commission by rule shall require that information relating  
5 to human trafficking prevention be included in the curriculum of  
6 any driver education course or driving safety course.

7 (b) In developing rules under this section, the commission  
8 shall consult with the human trafficking prevention coordinating  
9 council established under Section 402.034, Government Code.

10 (c) Not later than May 1, 2022, the Texas Commission of  
11 Licensing and Regulation shall adopt the rules required by Section  
12 1001.1021, Education Code, as added by this section.

13 (d) Each driver education course or driving safety course  
14 held on or after September 1, 2022, must include in the course  
15 curriculum the information required by Section 1001.1021,  
16 Education Code, as added by this section.

17 SECTION 4. Section 402.0351, Government Code, is amended to  
18 read as follows:

19 Sec. 402.0351. REQUIRED POSTING OF HUMAN TRAFFICKING SIGNS  
20 BY ~~AT~~ CERTAIN ENTITIES; CIVIL PENALTY ~~[TRANSPORTATION HUBS]~~. (a)  
21 In this section:

22 (1) "Cosmetology facility" means a person who holds a  
23 license to operate a facility or school under Chapter 1602,  
24 Occupations Code.

25 (2) "Council" means the human trafficking prevention  
26 coordinating council established under Section 402.034.

27 (3) "Hospital" has the meaning assigned by Section

1 241.003, Health and Safety Code.

2 (4) "Massage establishment" and "massage school" have  
3 the meanings assigned by Section 455.001, Occupations Code.

4 (5) "Sexually oriented business" has the meaning  
5 assigned by Section 243.002, Local Government Code.

6 (6) "Tattoo studio" has the meaning assigned by  
7 Section 146.001, Health and Safety Code.

8 (7) "Transportation[~~,"~~ "transportation] hub" means a  
9 bus, bus stop, train, train station, rest area, gas station with  
10 adjacent convenience store, or airport.

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

15 (1) an entity permitted or licensed under Chapter 25,  
16 26, 28, 32, 69, or 71, Alcoholic Beverage Code, other than an entity  
17 holding a food and beverage certificate;

18 (2) a cosmetology facility;

19 (3) a hospital;

20 (4) a massage establishment;

21 (5) a massage school;

22 (6) a sexually oriented business;

23 (7) a tattoo studio; or

24 (8) a transportation hub.

25 (a-2) The Parks and Wildlife Department shall post the sign  
26 prescribed under Subsection (b), or a substantially similar sign,  
27 in the manner prescribed by Subsection (d) at each state park and

1 other recreational site under the department's jurisdiction.

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

8 (b) The attorney general by rule shall prescribe the design  
9 and content of a sign required to be posted under this section. The  
10 sign must:

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

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

17 (3) include:

18 (A) a toll-free ~~[(1) the]~~ telephone number and  
19 Internet website for accessing human trafficking resources;

20 (B) the contact information for reporting  
21 suspicious activity to the Department of Public Safety ~~[of the~~  
22 ~~National Human Trafficking Resource Center]~~; and

23 (C) ~~[(2)]~~ the key indicators that a person is a  
24 victim of human trafficking.

25 (c) The attorney general shall develop the sign that  
26 complies with the requirements of Subsection (b) and make the sign  
27 available on the attorney general's Internet website to persons ~~[by~~

1 ~~rule shall prescribe the transportation hubs that are]~~ required to  
2 post a sign under this section and to the public [~~described by~~  
3 ~~Subsection (b)~~].

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

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

12 (1) must require that at a minimum the sign be posted  
13 in a conspicuous place that is either:

- 14 (A) near the public entrance of the entity; or  
15 (B) in clear view of the public and employees and  
16 near the location similar notices are customarily posted [~~under~~  
17 ~~this section~~]; and

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

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

24 (f) If the attorney general becomes aware that a person is  
25 in violation or may be in violation of a law enforced by another  
26 state agency that requires the posting of a sign or notice relating  
27 to human trafficking, the attorney general may notify the

1 appropriate state agency of the violation or potential violation.

2 (g) The attorney general shall issue a warning to a person  
3 described by Subsection (a-1) for a first violation of a rule  
4 adopted under this section. After receiving a warning for the first  
5 violation, a person who violates a rule adopted under this section  
6 is subject to a civil penalty in the amount of \$200 for each  
7 subsequent violation. Each day a violation continues is a separate  
8 violation.

9 SECTION 5. Section 20A.01, Penal Code, is amended by adding  
10 Subdivisions (2-a) and (2-b) to read as follows:

11 (2-a) "Premises" has the meaning assigned by Section  
12 481.134, Health and Safety Code.

13 (2-b) "School" means a public or private primary or  
14 secondary school.

15 SECTION 6. Section 20A.02, Penal Code, is amended by  
16 amending Subsection (b) and adding Subsection (b-1) to read as  
17 follows:

18 (b) Except as otherwise provided by this subsection and  
19 Subsection (b-1), an offense under this section is a felony of the  
20 second degree. An offense under this section is a felony of the  
21 first degree if:

22 (1) the applicable conduct constitutes an offense  
23 under Subsection (a)(5), (6), (7), or (8), regardless of whether  
24 the actor knows the age of the child at the time of the offense;

25 (2) the commission of the offense results in the death  
26 of the person who is trafficked; or

27 (3) the commission of the offense results in the death

1 of an unborn child of the person who is trafficked.

2 (b-1) An offense under this section is a felony of the first  
3 degree punishable by imprisonment in the Texas Department of  
4 Criminal Justice for life or for a term of not more than 99 years or  
5 less than 25 years if it is shown on the trial of the offense that  
6 the actor committed the offense in a location that was:

7 (1) on the premises of or within 1,000 feet of the  
8 premises of a school; or

9 (2) on premises or within 1,000 feet of premises  
10 where:

11 (A) an official school function was taking place;  
12 or

13 (B) an event sponsored or sanctioned by the  
14 University Interscholastic League was taking place.

15 SECTION 7. Section 33.021, Penal Code, is amended by adding  
16 Subsection (f-1) to read as follows:

17 (f-1) The punishment for an offense under this section is  
18 increased to the punishment prescribed for the next higher category  
19 of offense if it is shown on the trial of the offense that:

20 (1) the actor committed the offense during regular  
21 public or private primary or secondary school hours; and

22 (2) the actor knew or reasonably should have known  
23 that the minor was enrolled in a public or private primary or  
24 secondary school at the time of the offense.

25 SECTION 8. Section 43.01, Penal Code, is amended by adding  
26 Subdivisions (1-f) and (2-a) to read as follows:

27 (1-f) "Premises" has the meaning assigned by Section



1 481.134, Health and Safety Code.

2 (2-a) "School" means a public or private primary or  
3 secondary school.

4 SECTION 9. Section 43.02, Penal Code, is amended by adding  
5 Subsection (c-2) to read as follows:

6 (c-2) The punishment prescribed for an offense under  
7 Subsection (b) is increased to the punishment prescribed for the  
8 next highest category of offense if it is shown on the trial of the  
9 offense that the actor committed the offense in a location that was:

10 (1) on the premises of or within 1,000 feet of the  
11 premises of a school; or

12 (2) on premises or within 1,000 feet of premises  
13 where:

14 (A) an official school function was taking place;

15 or

16 (B) an event sponsored or sanctioned by the  
17 University Interscholastic League was taking place.

18 SECTION 10. The Texas Education Agency is required to  
19 implement the change in law made by Section 37.086(d), Education  
20 Code, as added by this Act, only if the legislature appropriates  
21 money specifically for that purpose. If the legislature does not  
22 appropriate money specifically for that purpose, the agency may,  
23 but is not required to, implement the change in law made by Section  
24 37.086(d), Education Code, as added by this Act, using other  
25 appropriations available for that purpose.

26 SECTION 11. The attorney general shall:

27 (1) in consultation with the human trafficking

1 prevention coordinating council, adopt rules necessary to  
2 implement Section 402.0351, Government Code, as amended by this  
3 Act, including rules prescribing the content and design of the sign  
4 required by that section; and

5 (2) make the sign available on the attorney general's  
6 Internet website as required by Section 402.0351(c), Government  
7 Code, as amended by this Act.

8 SECTION 12. The changes in law made by this Act apply only  
9 to an offense committed on or after the effective date of this Act.  
10 An offense committed before the effective date of this Act is  
11 governed by the law in effect on the date the offense was committed,  
12 and the former law is continued in effect for that purpose. For  
13 purposes of this section, an offense was committed before the  
14 effective date of this Act if any element of the offense occurred  
15 before that date.

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

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President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 1831 passed the Senate on April 27, 2021, by the following vote: Yeas 31, Nays 0; May 25, 2021, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 27, 2021, House granted request of the Senate; May 29, 2021, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1831 passed the House, with amendments, on May 24, 2021, by the following vote: Yeas 145, Nays 0, one present not voting; May 27, 2021, House granted request of the Senate for appointment of Conference Committee; May 30, 2021, House adopted Conference Committee Report by the following vote: Yeas 140, Nays 0, one present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor