

BILL ANALYSIS

Senate Research Center
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H.B. 3772
By: Thompson, Senfronia (Parker)
Business & Commerce
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Over the years, the Texas Legislature has passed laws to combat the issue of human trafficking in Texas. During the 86th Legislative Session, 2019, the Texas Department of Licensing and Regulation (TDLR) received an appropriation for 12 full-time employees for inspections and enforcement actions by TDLR's human trafficking team, which collaborates with law enforcement and community organizations and conducts research, inspections, and investigations to bring down illegal fronts for human trafficking and to connect victims with services. TDLR has continued its efforts to combat trafficking since receiving that appropriation, but TDLR should have clear statutory authority to continue its work in both regulatory enforcement activities and assisting local and federal law enforcement in the fight against human trafficking. H.B. 3772 seeks to provide a clear statutory framework for TDLR to continue this work by codifying what is already being conducted in practice. Specifically, the bill authorizes TDLR to establish an anti-trafficking unit, identify businesses operating within its regulated industries that are impacted by human trafficking, and coordinate efforts with the Office of the Attorney General, law enforcement agencies, and nongovernmental entities.

H.B. 3772 amends current law relating to combating human trafficking by the Texas Department of Licensing and Regulation.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Commission of Licensing and Regulation in SECTION 1 (Section 51.552, Occupations Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 51, Occupations Code, by adding Subchapter K, as follows:

SUBCHAPTER K. COMBATING HUMAN TRAFFICKING

Sec. 51.551. ANTI-TRAFFICKING ACTIVITIES. Authorizes the Texas Department of Licensing and Regulation (TDLR) to combat human trafficking by:

- (1) establishing within TDLR an anti-trafficking unit;
- (2) identifying businesses operating within industries regulated by TDLR that are impacted by human trafficking; and
- (3) coordinating with:
 - (A) the Office of the Attorney General, including any council, task force, or work group established by that office to combat human trafficking;
 - (B) local, state, and federal law enforcement agencies; and
 - (C) any nongovernmental entity engaged in efforts to combat human trafficking or assist victims.

Sec. 51.552. RULES. Authorizes the Texas Commission of Licensing and Regulation to adopt rules to combat human trafficking for any program regulated by TDLR, including rules for conducting inspections and investigations under Section 51.351 (Inspections and Investigations).

Sec. 51.553. CONFIDENTIALITY OF RECORDS IDENTIFYING VICTIMS OF HUMAN TRAFFICKING. (a) Provides that information that identifies an individual as a victim of human trafficking is confidential and excepted from disclosure under Section 552.021 (Availability of Public Information), Government Code.

(b) Authorizes TDLR to withhold the information without the necessity of requesting a decision from the attorney general under Subchapter G (Attorney General Decisions), Chapter 552, Government Code.

SECTION 2. Effective date: September 1, 2023.