

## **BILL ANALYSIS**

C.S.H.B. 3772  
By: Thompson, Senfronia  
Licensing & Administrative Procedures  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

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. C.S.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.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission of Licensing and Regulation in SECTION 1 of this bill.

### **ANALYSIS**

C.S.H.B. 3772 amends the Occupations Code to authorize the Texas Department of Licensing and Regulation (TDLR) to combat human trafficking by establishing an anti-trafficking unit within TDLR, identifying businesses operating within TDLR-regulated industries that are impacted by human trafficking, and coordinating with the following entities:

- the Office of the Attorney General (OAG), including any council, task force, or work group established by the OAG to combat human trafficking;
- local, state, and federal law enforcement agencies; and
- any nongovernmental entity engaged in efforts to combat human trafficking or assist victims.

The bill authorizes the Texas Commission of Licensing and Regulation to adopt rules to combat human trafficking for any TDLR-regulated program, including rules regarding TDLR inspections and investigations.

C.S.H.B. 3772 excepts from the public availability requirement of state public information law information identifying an individual as a human trafficking victim and authorizes TDLR to

withhold such information without requesting an attorney general decision as to whether the information is excepted from disclosure under that law.

**EFFECTIVE DATE**

September 1, 2023.

**COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 3772 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute changes the bill's effective date from immediately if it receives a vote of two-thirds of all the members elected to each house or, if it does not receive the necessary vote for immediate effect, September 1, 2023, as in the introduced, to September 1, 2023.