88R9038 MCF-D

By:  Parker S.B. No. 1011

A BILL TO BE ENTITLED

AN ACT

relating to the punishment for the offense of trafficking of persons.

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

SECTION 1.  Section 20A.02(b), Penal Code, is amended to read as follows:

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

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

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

(3)  the commission of the offense results in the death of an unborn child of the person who is trafficked; or

(4)  the actor:

(A)  recruited, enticed, or obtained the trafficked person [~~victim of the offense~~] from a:

(i)  shelter or facility operating as a residential treatment center that serves runaway youth, foster children, the homeless, or persons subjected to human trafficking, domestic violence, or sexual assault; or

(ii)  correctional facility while the actor was confined in the facility; or

(B)  intentionally, knowingly, or recklessly impeded the normal breathing or circulation of the blood of the trafficked person by applying pressure to the person's throat or neck or by blocking the person's nose or mouth.

SECTION 2.  The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 3.  This Act takes effect September 1, 2023.