

By: Thierry

H.B. No. 3554

A BILL TO BE ENTITLED

AN ACT

relating to increasing the criminal penalty for the offense of trafficking of persons if committed at certain locations.

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

SECTION 1. Sections 20A.02(b) and (b-1), Penal Code, are 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; or

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

~~(4) the actor recruited, enticed, or obtained the victim of the offense from a 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].~~

(b-1) An offense under this section is a felony of the first degree punishable by imprisonment in the Texas Department of

1 Criminal Justice for life or for a term of not more than 99 years or
2 less than 25 years if it is shown on the trial of the offense that
3 the actor committed the offense in a location that was:

4 (1) on the premises of or within 1,000 feet of the
5 premises of:

6 (A) a school;

7 (B) a shelter or facility operating as a
8 residential treatment center that serves runaway youth, foster
9 children, people who are homeless, or persons subjected to human
10 trafficking, domestic violence, or sexual assault;

11 (C) a community center offering youth services
12 and programs; or

13 (D) a child-care facility, as defined by Section
14 42.002, Human Resources Code; or

15 (2) on premises or within 1,000 feet of premises
16 where:

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

18 or

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

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

1 before that date.

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