

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 451
By: Thompson; Lalani (Paxton)
Health & Human Services
5/5/2025
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The issue of human trafficking remains pervasive in Texas, often disproportionately affecting children within the care of the state foster care system or juvenile justice system. Children in these systems are at a higher risk of becoming victims of human trafficking due to previous abuse, neglect, and other traumas. This instability leaves them vulnerable and more easily manipulated by traffickers.

Not every child who is in the conservatorship of the Department of Family and Protective Services (DFPS) or within the Texas Juvenile Justice Department (TJJD) is screened for risk of human trafficking. Currently, only children who are deemed most at risk are screened, as such screenings were adopted as a pilot program.

Systems-involved youth are among the most at-risk for exploitation, so it is worthwhile to universally screen all systems-involved youth, rather than just those who are the most likely at risk among this already highly at-risk population. Not screening some of these children may lead to children falling through the cracks and not being identified, leaving them unable to access appropriate services. Resources exist to provide the necessary support and services for these children, but they need to be identified first. By equipping these agencies to better identify children who are at risk or are victims of human trafficking, victimized children can access the proper supports and services so that they can begin the journey of healing, and at-risk children will be less likely to be victimized by receiving early access to preventative services.

This bill expands the utilization of screening for risks or signs of commercial sexual exploitation to all children who are in the conservatorship of DFPS or under the jurisdiction of TJJD.

H.B. 451:

- Amends Section 266.021(a), Family Code:
 - Adds a screening for risk of commercial sexual exploitation using a validated, evidence-informed screening tool selected by the Child Sex Trafficking Prevention Unit in the Office of the Governor to the requirements for children entering DFPS conservatorship:
 - Who are of an age for which utilization of the tool is validated; or
 - For whom concerns of commercial sexual exploitation exist
- Amends Section 221.003(b), Human Resources Code:
 - Adds that the risks and needs assessment for each child under TJJD's jurisdiction must include a screening for risk of commercial sexual exploitation using a screening tool selected by the Child Sex Trafficking Prevention Unit in the Office of the Governor
- Effective September 1, 2025
- The committee substitute will add the fiscal responsibility amendment.

C.S.H.B. 451 amends current law relating to a screening for the risk of commercial sexual exploitation of certain children.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 266.012(a), Family Code, as follows:

(a) Requires a child, not later than the 45th day after the date a child enters the conservatorship of the Department of Family and Protective Services (DFPS), to receive certain evaluations, including a screening for risk of commercial sexual exploitation using a validated, evidence-informed tool selected by the Child Sex Trafficking Prevention Unit established under Section 772.0062 (Child Sex Trafficking Prevention Unit), Government Code, if validation guidelines based on the child's age indicate the screening is appropriate or concerns of commercial sexual exploitation exist. Makes nonsubstantive changes.

SECTION 2. Amends Section 221.003(b), Human Resources Code, to require that the risk and needs assessment required to be completed by a juvenile probation department for each child include a screening for risk of commercial sexual exploitation using a validated, evidence-informed tool selected by the Child Sex Trafficking Prevention Unit established under Section 772.0062, Government Code.

SECTION 3. Provides that DFPS and the Texas Juvenile Justice Department (TJJD) are required to implement a provision of this Act only if the legislature appropriates money to the respective department specifically for that purpose. Provides that, if the legislature does not appropriate money specifically for that purpose, DFPS and TJJD are authorized to, but not required to, implement a provision of this Act using other money available for that purpose.

SECTION 4. Effective date: September 1, 2025.