

BILL ANALYSIS

Senate Research Center
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S.B. 957
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Criminal Justice
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Human trafficking is a global crisis that affects millions of people every year, including men, women, and children who are subjected to forced labor, sexual exploitation, and other forms of modern-day slavery. In Texas, human trafficking is a significant problem, with the state ranking second in the nation for the number of reported cases.

A notorious aspect of human trafficking is the rapidly repeated nature of the crime. Traffickers sell their victims over, and over, and over again day in and day out. They are commonly picked up by law enforcement, let out on lenient bail because their finances are hidden, and within days are back out selling their victims again. Prosecutors have expressed that under current law, the prosecutor must choose a specific date and show two or more at on that date. That proves to be challenging because traffickers recruit and traffic victims throughout a period of time. This law would allow the jury to have important evidence of the trafficker's recruiting, managing, and financing of their operation. Current law only gives a snapshot of a specific date in time—a broader view is needed to encapsulate the scope of a trafficker's enterprise.

S.B. 957 seeks to address this by creating a new offense of continuous aggravated promotion of prostitution. This bill targets individuals who operate or manage a prostitution enterprise involving two or more prostitutes over a period of 30 days or more. It allows a jury to convict without unanimous agreement on specific acts or dates, as long as they agree that the crime occurred over the required timeframe. Further, it does not require a prosecutor to prove force, fraud, or coercion as required under the continuous human trafficking statute. The offense is classified as a first-degree felony, carrying a sentence of 25 years to life in prison.

As proposed, S.B. 957 amends current law relating to the creation of the criminal offense of continuous aggravated promotion of prostitution.

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 Subchapter A, Chapter 43, Penal Code, by adding Section 43.042, as follows:

Sec. 43.042. CONTINUOUS AGGRAVATED PROMOTION OF PROSTITUTION. (a) Provides that a person commits an offense if, during a period that is 30 or more days in duration, the person engages two or more times in conduct that constitutes an offense under Section 43.04 (Aggravated Promotion of Prostitution).

(b) Provides that, if a jury is the trier of fact, members of the jury are not required to agree unanimously on which specific conduct engaged in by the defendant constituted an offense under Section 43.04 or on which exact date the defendant engaged in that conduct.

(c) Prohibits a defendant, if the victim of an offense under Subsection (a) is the same victim as a victim of an offense under Section 43.04, from being convicted of the offense under Section 43.04 in the same criminal action as the offense under Subsection (a), unless the offense under Section 43.04 is charged in the alternative, occurred outside the period in which the offense alleged under Subsection (a) was committed, or is considered by the trier of fact to be a lesser included offense of the offense alleged under Subsection (a).

(d) Prohibits a defendant from being charged with more than one count under Subsection (a) if all of the conduct that constitutes an offense under Section 43.04 is alleged to have been committed against the same victim.

(e) Provides that an offense under this section is a felony of the first degree, punishable by imprisonment in the Texas Department of Criminal Justice for life or for any term of not more than 99 years or less than 25 years.

SECTION 2. Effective date: upon passage or September 1, 2025.