

## **BILL ANALYSIS**

Senate Research Center

S.B. 958  
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Criminal Justice  
6/3/2025  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Human trafficking survivors often have criminal records as a result of actions they were forced to take by their traffickers, such as prostitution, drug offenses, or theft. These criminal records can make it difficult for survivors to find employment, housing, and other resources they need to rebuild their lives. Expunging or sealing these records can help survivors move forward. Additionally, survivors of human trafficking can face stigma and discrimination because of their criminal records, which can create additional barriers to their recovery and reintegration into society. Therefore, expungement of criminal records serves as a significant tool to support human trafficking survivors and help them move on from their past experiences.

Currently, the records of trafficking survivors can only be sealed of misdemeanor theft, prostitution, and marijuana offenses. S.B. 958 will expand the list of sealable offenses to include all misdemeanor drugs offenses, forgery of government documents, and public intoxication. Each of these offenses are tools used by traffickers to coerce and control their victims. Therefore, S.B. 958 will allow survivors to seal those offenses that were committed as victims of trafficking.

A note that S.B. 958 does not alter the sealing process whatsoever. Survivors still must go through the same process of proving to a judge the crime on their record was due to their being trafficked. S.B. 958 simply expands the list of crimes for which a survivor may request sealing. The committee substitute clarifies this by eliminating a drafting error that included crimes committed "in connection with being a victim," which expands the eligibility further than intended.

S.B. 958 amends current law relating to the eligibility of certain victims of trafficking of persons or compelling prostitution for an order of nondisclosure of criminal history record information.

### **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 Sections 411.0728(a), Government Code, as follows:

(a) Provides that Section 411.0728 (Procedure for Certain Victims of Trafficking of Persons or Compelling Prostitution) applies only to a person:

(1) who is convicted of or placed on deferred adjudication community supervision for:

(A) a misdemeanor under Subchapter D (Offenses and Penalties), Chapter 481 (Texas Controlled Substances Act), Health and Safety Code, or Section 30.05 (Criminal Trespass), 31.03 (Theft), 37.10 (Tampering with Governmental Record), or 49.02 (Public Intoxication), Penal Code; or

(B) an offense under Section 43.02 (Prostitution), Penal Code; and

(2) makes no changes to this subdivision.

Deletes existing text providing that this section applies only to a person who is convicted of or placed on deferred adjudication community supervision for an offense under certain sections of the Health and Safety Code or Penal Code, if the offense is punishable under certain provisions of this section. Makes nonsubstantive changes.

SECTION 2. Effective date: September 1, 2025.