

BILL ANALYSIS

Senate Research Center

S.B. 1804
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Criminal Justice
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current Texas law, restitution for victims of trafficking and related crimes covers medical, psychiatric, and psychological treatment necessary for recovery. However, tattoo removal is not explicitly included, which creates a financial barrier for survivors seeking to remove these permanent marks. S.B. 1804 amends the Texas Code of Criminal Procedure to clarify that restitution ordered by the court must include expenses for tattoo removal when the tattoos were applied through force, fraud, or coercion related to the offense.

Also, current law limits this restitution to victims who were under 18 at the time of the offense. S.B. 1804 removes this age restriction, ensuring that all survivors regardless of age have access to financial assistance for qualified tattoo removal. This change recognizes that trafficking and coercion do not only affect minors and that all victims should have the opportunity to remove marks that remind them of their exploitation.

By holding offenders financially responsible for the costs of tattoo removal, S.B. 1804 provides support for victims. This bill reinforces the idea that those who inflict harm should bear the costs of rehabilitation for their victims, instead of shifting the burden onto survivors. This legislation has the potential to improve the lives of trafficking survivors and help with their recovery.

S.B. 1804 amends current law relating to restitution and compensation paid to victims of certain offenses for tattoo removal related to the offense.

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 the heading to Article 42.0372, Code of Criminal Procedure, to read as follows:

Art. 42.0372. MANDATORY RESTITUTION FOR VICTIMS OF TRAFFICKING OF PERSONS OR PROSTITUTION RELATED OFFENSES.

SECTION 2. Amends Article 42.0372(a), Code of Criminal Procedure, as follows:

(a) Requires the court to order a defendant convicted of an offense under Chapter 20A (Trafficking of Persons) or Subchapter A (Prostitution), Chapter 43 (Public Indecency), Penal Code, to pay restitution in an amount equal to the cost of the removal of a tattoo the victim received as a result of force, fraud, or coercion related to the offense.

Deletes existing text requiring the court to order a defendant convicted of an offense under Section 20A.02 (Trafficking of Persons) or 43.05(a)(2) (relating to providing that a person commits an offense if the person knowingly causes by any means a child younger than 18 years to commit prostitution), Penal Code, to pay restitution in an amount equal to the cost of necessary rehabilitation, including medical, psychiatric, and psychological

care and treatment, for any victim of the offense who is younger than 18 years of age.
Makes nonsubstantive changes.

SECTION 3. Amends Article 56B.003(10), Code of Criminal Procedure, to redefine "pecuniary loss" to include the expense of tattoo removal.

SECTION 4. Amends Article 56B.106, Code of Criminal Procedure, by adding Subsection (c-4) to authorize a victim of trafficking of persons to receive compensation in an amount not to exceed \$3,000 for the removal of a tattoo the victim received as a result of force, fraud, or coercion related to the applicable offense.

SECTION 5. Makes application of this Act prospective.

SECTION 6. Effective date: September 1, 2025.