

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 2105
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Criminal Justice
5/6/2025
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Human traffickers frequently exploit commercial lodging establishments to facilitate their illicit operations, often forcing victims into prostitution within temporary motel and hotel rooms. To address this issue, Texas law requires lodging establishments to provide human trafficking awareness and prevention training to employees, enabling them to identify and report suspicious activity. Despite these legal requirements, many establishments remain noncompliant.

Currently, enforcement of these training requirements rests solely with the Texas Attorney General's Office, but no civil enforcement actions have been taken since the law's passage. In El Paso, the County Attorney's Office's Nuisance Abatement Team, in collaboration with the El Paso Police Department, conducts inspections to verify compliance, yet violations persist. Cases such as the recent arrests of individuals involved in a human smuggling operation at multiple El Paso hotels underscore the urgent need for stronger enforcement mechanisms.

S.B. 2105 strengthens efforts to combat human trafficking by granting county and district attorneys the authority to bring civil enforcement actions against noncompliant commercial lodging establishments. By allowing local prosecutors to hold violators accountable, this legislation ensures that human trafficking prevention laws are meaningfully enforced, protecting vulnerable individuals from exploitation and enhancing public safety.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 2105 amends current law relating to the authority of a county attorney or district attorney to enforce human trafficking awareness and prevention in commercial lodging establishments.

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 114.0102, Business & Commerce Code, to require the attorney general, or the county attorney or district attorney of the county in which a commercial lodging establishment is located, if the attorney general or the county or district attorney has reason to believe an operator of a commercial lodging establishment has violated Chapter 114 (Human Trafficking Awareness and Prevention in Commercial Lodging Establishments), to provide written notice to the operator that includes certain information.

SECTION 2. Amends Section 114.0104, Business & Commerce Code, as follows:

Sec. 114.0104. New heading: ACTION BY ATTORNEY GENERAL OR COUNTY OR DISTRICT ATTORNEY. (a) Authorizes the attorney general or a county attorney or district attorney to bring an action in the name of the state to recover a civil penalty imposed under Section 114.0103 (Civil Penalty) or for injunctive relief to require compliance with this chapter.

(b) Authorizes an action under this section by the attorney general to be brought in a district court in Travis County or a county in which any part of the violation or threatened violation occurs.

(b-1) Requires a county attorney or district attorney to notify the attorney general before bringing an action under this section. Requires that notice under this subsection be in a form and manner prescribed by the attorney general.

(b-2) Requires that an action under this section by a county attorney or district attorney be brought in a district court in a county in which any part of the violation or threatened violation occurs.

(c) Authorizes the attorney general, county attorney, or district attorney to recover reasonable expenses incurred in obtaining injunctive relief or a civil penalty under this section, including court costs, reasonable attorney's fees, and investigatory costs.

(d) Provides that a civil penalty recovered by a county attorney or district attorney under this section is payable to the county in which the district court that heard the action is located.

SECTION 3. Effective date: September 1, 2025.