

By: Thompson

H.B. No. 2318

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the establishment of a statewide human trafficking data
3 repository within the office of the attorney general and to
4 reporting of human trafficking data to the office of the attorney
5 general and by the attorney general.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Section 2A.205, Code of Criminal Procedure, is
8 transferred to Subchapter B, Chapter 402, Government
9 Code, redesignated as Section 402.0352, Government Code, and
10 amended to read as follows:

11 Sec. 402.0352 [~~Art. 2A.205~~]. REPORTING OF [~~CERTAIN LAW~~
12 ~~ENFORCEMENT AGENCIES: REPORT CONCERNING~~] HUMAN TRAFFICKING CASES.

13 (a) This section [~~article~~] applies only to:

14 (1) a municipal police department, sheriff's
15 department, constable's office, county attorney's office, district
16 attorney's office, and criminal district attorney's office, as
17 applicable, in a county with a population of more than 50,000;

18 (2) the Department of Family and Protective Services;

19 (3) the Texas Department of Licensing and Regulation;

20 (4) the Office of Court Administration of the Texas
21 Judicial System;

22 (5) the Texas Department of Criminal Justice;

23 (6) the Texas Juvenile Justice Department; and

24 (7) [~~2~~] the Department of Public Safety.

1 (b) An entity to which this section [~~article~~] applies that
2 investigates the alleged commission of an offense under Chapter
3 20A, Penal Code, or the alleged commission of an offense under
4 Chapter 43, Penal Code, that may involve human trafficking, shall
5 submit to the attorney general [~~a report~~] in the manner and form
6 prescribed by the attorney general a report containing the
7 following information:

8 (1) the offense being investigated, including the
9 offense code designated by the Department of Public Safety under
10 Article 66.052, Code of Criminal Procedure [~~a brief description of~~
11 ~~the alleged prohibited conduct~~];

12 (2) regarding each person suspected of committing the
13 offense [~~and each victim of the offense, as applicable~~]:

14 (A) the person's:

15 (i) full name [~~age~~];

16 (ii) gender; [~~and~~]

17 (iii) race or ethnicity, as defined by
18 Article 2B.0051, Code of Criminal Procedure;

19 (iv) country of origin, if the person is not
20 a United States citizen or legal permanent resident;

21 (v) date of birth; and

22 (vi) age at the time of the offense, if
23 available; and

24 (B) the case number associated with the person
25 and the offense [~~and with the person suspected of committing the~~
26 ~~offense~~];

27 (3) the date [~~, time,~~] and location of the alleged

1 offense, including the city and county;

2 (4) [~~the type of human trafficking involved,~~
3 ~~including:~~

4 [~~(A) forced labor or services, as defined by~~
5 ~~Section 20A.01, Penal Code;~~

6 [~~(B) causing the victim by force, fraud, or~~
7 ~~coercion to engage in prohibited conduct involving one or more~~
8 ~~sexual activities, including conduct described by Section~~
9 ~~20A.02(a)(3), Penal Code; or~~

10 [~~(C) causing a child victim by any means to~~
11 ~~engage in, or become the victim of, prohibited conduct involving~~
12 ~~one or more sexual activities, including conduct described by~~
13 ~~Section 20A.02(a)(7), Penal Code;~~

14 [~~(5) if available, information regarding any victims'~~
15 ~~service organization or program to which the victim was referred as~~
16 ~~part of the investigation; and~~

17 [~~(6)] the disposition of the investigation, if any,~~

18 regardless of the manner of disposition; and

19 (5) regarding the victim of the offense:

20 (A) the victim's:

21 (i) age at the time of the offense, if
22 available;

23 (ii) gender;

24 (iii) race or ethnicity, as defined by
25 Article 2.132, Code of Criminal Procedure; and

26 (iv) country of origin, if the victim is not
27 a United States citizen or legal permanent resident; and

1 (B) if available, information regarding any
2 victims' service organization or program to which the victim was
3 referred as part of the investigation.

4 (c) An entity described by Subsection (a) that does not have
5 any investigations or offenses required to be reported under this
6 section during a reporting period described by Subsection (c-1)
7 shall submit to the attorney general a notice stating there are no
8 cases to report, in the manner and form prescribed by the attorney
9 general [~~An attorney representing the state who prosecutes the~~
10 ~~alleged commission of an offense under Chapter 20A, Penal Code, or~~
11 ~~the alleged commission of an offense under Chapter 43, Penal Code,~~
12 ~~that may involve human trafficking, shall submit to the attorney~~
13 ~~general the following information:~~

14 ~~[(1) the offense being prosecuted, including a brief~~
15 ~~description of the alleged prohibited conduct,~~

16 ~~[(2) any other charged offense that is part of the same~~
17 ~~criminal episode out of which the offense described by Subdivision~~
18 ~~(1) arose,~~

19 ~~[(3) the information described by Subsections (b)(2),~~
20 ~~(3), (4), and (5), and~~

21 ~~[(4) the disposition of the prosecution, regardless of~~
22 ~~the manner of disposition].~~

23 (c-1) An entity described by Subsection (a) shall submit a
24 report under this section at least once every three months.

25 (d) The attorney general may enter into a contract with a
26 university or organization to assist with [~~that provides for the~~
27 ~~university's assistance in]~~ the collection and analysis of

1 information received under this section [~~article~~]. The attorney
2 general shall ensure that all sensitive information is properly
3 protected.

4 (e) Information described by Subsections (b)(2)(A)(i) and
5 (v) and (b)(2)(B) is confidential and not subject to disclosure
6 under Chapter 552, Government Code.

7 (f) In consultation with the entities described by
8 Subsection (a), the attorney general shall adopt rules to
9 administer this section [~~article~~], including rules prescribing:

10 (1) the form and manner of submission of a report or
11 notice required by Subsection (b) or (c); and

12 (2) additional information to include in a report or
13 notice required by Subsection (b) or (c).

14 (g) An entity, other than an entity described by Subsection
15 (a), that has information or evidence relating to the alleged
16 commission of an offense under Chapter 20A, Penal Code, or an
17 offense under Chapter 43, Penal Code, that may involve human
18 trafficking, may submit the information or evidence to the office
19 of the attorney general.

20 SECTION 2. Subchapter B, Chapter 402, Government Code, is
21 amended by adding Section 402.0353 to read as follows:

22 Sec. 402.0353. STATEWIDE HUMAN TRAFFICKING DATA
23 REPOSITORY; ANNUAL REPORT. (a) The office of the attorney general
24 shall establish a statewide human trafficking data repository to
25 collect, organize, and analyze human trafficking information
26 reported to the office under Section 402.0352 in a manner that
27 enables the office to:

1 (1) evaluate the efficacy of state-funded initiatives
2 that aim to reduce the occurrence of human trafficking in this
3 state;

4 (2) make recommendations to appropriate local law
5 enforcement agencies, state agencies, and other entities regarding
6 the implementation of rules, regulations, or policies which may
7 better allow each entity to:

8 (A) combat human trafficking;

9 (B) apprehend and prosecute persons suspected of
10 committing criminal offenses involving human trafficking; and

11 (C) provide necessary services to victims of
12 human trafficking; and

13 (3) make recommendations to improve the efficacy of
14 the human trafficking prevention task force under Section 402.035.

15 (b) Information stored in the data repository established
16 under this section may not contain personal identifying information
17 relating to:

18 (1) a person suspected of committing an offense
19 involving human trafficking;

20 (2) a suspected or known victim of human trafficking;

21 or

22 (3) any other individual identified in the information
23 shared with the office of the attorney general under Section
24 402.0352.

25 (c) For purposes of establishing and maintaining the data
26 repository established under this section, the attorney general may
27 contract with a third party that has experience working with human

1 trafficking data and is:

2 (1) a public or private institution of higher
3 education; or

4 (2) a nonprofit organization.

5 (d) The attorney general shall annually submit to the
6 governor, the lieutenant governor, and the speaker of the house of
7 representatives a report on the attorney general's findings and
8 recommendations based on the information collected, organized, and
9 analyzed using the data repository established under this section.

10 SECTION 3. Section 4.01, Chapter 93 (S.B. 1527), Acts of the
11 88th Legislature, Regular Session, 2023, which amended Article
12 2.305, Code of Criminal Procedure, is repealed.

13 SECTION 4. Notwithstanding Article 2A.205, Code of Criminal
14 Procedure, as transferred, redesignated, and amended by this Act,
15 an entity that was not required to report under that article, as it
16 existed immediately before the effective date of this Act, is not
17 required to submit the initial report required by that article
18 before July 1, 2026.

19 SECTION 5. Notwithstanding Section 402.0353, Government
20 Code, as added by this Act, the attorney general is not required to
21 submit the initial annual report required by that section before
22 July 1, 2027.

23 SECTION 6. To the extent of any conflict, this Act prevails
24 over another Act of the 89th Legislature, Regular Session, 2025,
25 relating to nonsubstantive additions to and corrections in enacted
26 codes.

27 SECTION 7. This Act takes effect September 1, 2025.