

By: Johnson, Thompson, Little, Cook,
Garcia of Dallas

H.B. No. 2761

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of the offenses of trafficking of
persons and continuous trafficking of persons.

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

SECTION 1. Section 20A.02, Penal Code, is amended by adding
Subsection (e) to read as follows:

(e) This subsection applies only to a prosecution for an
offense under Subsection (a)(7) or (8), in which the actor is
alleged to have caused a trafficked child or disabled individual to
engage in or become the victim of prostitution, as defined by
Section 43.01. It is not a defense to a prosecution described by
this subsection that the trafficked child or disabled individual:

(1) lacks the culpable mental state to engage in the
act of prostitution; or

(2) did not complete the act of prostitution.

SECTION 2. Section 20A.03, Penal Code, is amended by adding
Subsection (f) to read as follows:

(f) This subsection applies only to a prosecution for an
offense under this section based on conduct constituting an offense
under Section 20A.02(a)(7) or (8), in which the actor is alleged to
have caused for one or more times a trafficked child or disabled
individual to engage in or become the victim of prostitution as
defined by Section 43.01. It is not a defense to a prosecution
described by this subsection that the trafficked child or disabled

1 individual:

2 (1) lacks the culpable mental state to engage in the
3 act of prostitution; or

4 (2) did not complete the act of prostitution.

5 SECTION 3. The change in law made by this Act applies only
6 to an offense committed on or after the effective date of this Act.
7 An offense committed before the effective date of this Act is
8 governed by the law in effect on the date the offense was committed,
9 and the former law is continued in effect for that purpose. For
10 purposes of this section, an offense was committed before the
11 effective date of this Act if any element of the offense was
12 committed before that date.

13 SECTION 4. This Act takes effect September 1, 2025.