

Amend **HB 59** on third reading, on page 2, between lines 11-12, by inserting the following SECTIONS and renumbering subsequent SECTIONS accordingly:

SECTION 3. Title 5, Penal Code, is amended by adding a new Sec. 20.06 to read as follows:

Sec. 20.06. TRAFFICKING OF PERSONS. (a) DEFINITIONS. In this chapter:

(1) "Forced labor or services" means labor or services that are performed or provided by another person and obtained through an actor's:

(A) threatening to cause bodily injury to another;

(B) restraining another in a manner described by Section 20.01(1); or

(C) withholding from another the person's:

(i) government records;

(ii) identifying information; or

(iii) personal property.

(2) "Traffic" means to transport another person or to entice, recruit, harbor, provide, or otherwise obtain another person for transport by deception, coercion, or force.

(b) TRAFFICKING OF PERSONS. (1) A person commits an offense if the person knowingly traffics another person with the intent that the trafficked person engage in:

(A) forced labor or services; or

(B) conduct that constitutes an offense under Chapter 43.

(2) Except as otherwise provided by this subsection, an offense under this section is a felony of the second degree. An offense under this section is a felony of the first degree if:

(A) the offense is committed under Subsection (a)(2) and the person who is trafficked is younger than 14 years of age at the time of the offense; or

(B) the commission of the offense results in the death of the person who is trafficked.

(3) If conduct constituting an offense under this section also constitutes an offense under another section of this code, the actor may be prosecuted under either section or under both

sections.

SECTION 4. Section 71.02(a), Penal Code, is amended to read as follows:

(a) A person commits an offense if, with the intent to establish, maintain, or participate in a combination or in the profits of a combination or as a member of a criminal street gang, he commits or conspires to commit one or more of the following:

(1) murder, capital murder, arson, aggravated robbery, robbery, burglary, theft, aggravated kidnapping, kidnapping, aggravated assault, aggravated sexual assault, sexual assault, forgery, deadly conduct, assault punishable as a Class A misdemeanor, burglary of a motor vehicle, or unauthorized use of a motor vehicle;

(2) any gambling offense punishable as a Class A misdemeanor;

(3) promotion of prostitution, aggravated promotion of prostitution, or compelling prostitution;

(4) unlawful manufacture, transportation, repair, or sale of firearms or prohibited weapons;

(5) unlawful manufacture, delivery, dispensation, or distribution of a controlled substance or dangerous drug, or unlawful possession of a controlled substance or dangerous drug through forgery, fraud, misrepresentation, or deception;

(6) any unlawful wholesale promotion or possession of any obscene material or obscene device with the intent to wholesale promote the same;

(7) any offense under Subchapter B, Chapter 43, depicting or involving conduct by or directed toward a child younger than 18 years of age;

(8) any felony offense under Chapter 32~~[, Penal Code]~~;

(9) any offense under Chapter 36~~[, Penal Code]~~;

(10) any offense under Chapter 34~~[, Penal Code]~~; ~~[or]~~

(11) any offense under Section 37.11(a) ; or

(12) any offense under Chapter 20A~~[, Penal Code]~~.