

1-1 By: Davis of Harris, et al. H.B. No. 1113  
1-2 (Senate Sponsor - Alvarado)  
1-3 (In the Senate - Received from the House May 9, 2019;  
1-4 May 14, 2019, read first time and referred to Committee on State  
1-5 Affairs; May 19, 2019, reported adversely, with favorable  
1-6 Committee Substitute by the following vote: Yeas 9, Nays 0;  
1-7 May 19, 2019, sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-10 Huffman	X			
1-11 Hughes	X			
1-12 Birdwell	X			
1-13 Creighton	X			
1-14 Fallon	X			
1-15 Hall	X			
1-16 Lucio	X			
1-17 Nelson	X			
1-18 Zaffirini	X			

1-19 COMMITTEE SUBSTITUTE FOR H.B. No. 1113 By: Zaffirini

1-20 A BILL TO BE ENTITLED  
1-21 AN ACT

1-22 relating to state contract limitations and programs for sex  
1-23 trafficking prevention and victim treatment.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subchapter A, Chapter 2155, Government Code, is  
1-26 amended by adding Section 2155.0061 to read as follows:

1-27 Sec. 2155.0061. PROHIBITION ON CERTAIN BIDS AND CONTRACTS  
1-28 RELATED TO PERSONS INVOLVED IN HUMAN TRAFFICKING. (a) A state  
1-29 agency may not accept a bid or award a contract, including a  
1-30 contract for which purchasing authority is delegated to a state  
1-31 agency, that includes proposed financial participation by a person  
1-32 who, during the five-year period preceding the date of the bid or  
1-33 award, has been convicted of any offense related to the direct  
1-34 support or promotion of human trafficking.

1-35 (b) A bid or award subject to the requirements of this  
1-36 section must include the following statement:

1-37 "Under Section 2155.0061, Government Code, the vendor  
1-38 certifies that the individual or business entity named in this bid  
1-39 or contract is not ineligible to receive the specified contract and  
1-40 acknowledges that this contract may be terminated and payment  
1-41 withheld if this certification is inaccurate."

1-42 (c) If a state agency determines that an individual or  
1-43 business entity holding a state contract was ineligible to have the  
1-44 bid accepted or contract awarded under this section, the state  
1-45 agency may immediately terminate the contract without further  
1-46 obligation to the vendor.

1-47 (d) This section does not create a cause of action to  
1-48 contest a bid or award of a state contract.

1-49 SECTION 2. Section 2155.077(a-1), Government Code, is  
1-50 amended to read as follows:

1-51 (a-1) The commission shall bar a vendor from participating  
1-52 in state contracts that are subject to this subtitle, including  
1-53 contracts for which purchasing authority is delegated to a state  
1-54 agency, if the vendor has been:

1-55 (1) convicted of violating a federal law in connection  
1-56 with a contract awarded by the federal government for relief,  
1-57 recovery, or reconstruction efforts as a result of Hurricane Rita,  
1-58 as defined by Section 39.459, Utilities Code, Hurricane Katrina, or  
1-59 any other disaster occurring after September 24, 2005; [or]  
1-60 (2) assessed a penalty in a federal civil or

2-1 administrative enforcement action in connection with a contract  
 2-2 awarded by the federal government for relief, recovery, or  
 2-3 reconstruction efforts as a result of Hurricane Rita, as defined by  
 2-4 Section 39.459, Utilities Code, Hurricane Katrina, or any other  
 2-5 disaster occurring after September 24, 2005; or

2-6 (3) convicted of any offense related to the direct  
 2-7 support or promotion of human trafficking.

2-8 SECTION 3. Subtitle B, Title 2, Health and Safety Code, is  
 2-9 amended by adding Chapter 50 to read as follows:

2-10 CHAPTER 50. SEX TRAFFICKING PREVENTION AND VICTIM TREATMENT  
 2-11 PROGRAMS

2-12 SUBCHAPTER A. TREATMENT PROGRAM FOR VICTIMS OF CHILD SEX  
 2-13 TRAFFICKING

2-14 Sec. 50.0001. DEFINITIONS. In this subchapter:

2-15 (1) "Child sex trafficking" has the meaning assigned  
 2-16 by Section 772.0062, Government Code.

2-17 (2) "Program" means the treatment program for victims  
 2-18 of child sex trafficking established under this subchapter.

2-19 Sec. 50.0002. ESTABLISHMENT; PURPOSE. The commission, in  
 2-20 collaboration with the institution designated under Section  
 2-21 50.0003, shall establish a program to improve the quality and  
 2-22 accessibility of care for victims of child sex trafficking in this  
 2-23 state.

2-24 Sec. 50.0003. DESIGNATION OF INSTITUTION; OPERATION OF  
 2-25 PROGRAM. (a) The commission shall designate a health-related  
 2-26 institution of higher education to operate the program.

2-27 (b) The designated institution shall improve the quality  
 2-28 and accessibility of care for victims of child sex trafficking by:

2-29 (1) dedicating a unit at the institution to provide or  
 2-30 contract for inpatient care for victims of child sex trafficking;

2-31 (2) dedicating a unit at the institution to provide or  
 2-32 contract for outpatient care for victims of child sex trafficking;

2-33 (3) creating opportunities for research and workforce  
 2-34 expansion related to treatment of victims of child sex trafficking;  
 2-35 and

2-36 (4) assisting other health-related institutions of  
 2-37 higher education in this state to establish similar programs.

2-38 (c) The commission shall solicit and review applications  
 2-39 from health-related institutions of higher education before  
 2-40 designating an institution under this section.

2-41 Sec. 50.0004. FUNDING. In addition to money appropriated  
 2-42 by the legislature, the designated institution may accept gifts,  
 2-43 grants, and donations from any public or private person for the  
 2-44 purpose of carrying out the program.

2-45 Sec. 50.0005. RULES. The executive commissioner shall  
 2-46 adopt rules necessary to implement this subchapter.

2-47 SUBCHAPTER B. MATCHING GRANT PROGRAM FOR MUNICIPAL SEX TRAFFICKING  
 2-48 PREVENTION PROGRAMS

2-49 Sec. 50.0051. ESTABLISHMENT OF MATCHING GRANT PROGRAM. (a)  
 2-50 The commission shall establish a matching grant program to award to  
 2-51 a municipality a grant in an amount equal to the amount committed by  
 2-52 the municipality for the development of a sex trafficking  
 2-53 prevention needs assessment. A municipality that is awarded a  
 2-54 grant must develop the needs assessment in collaboration with a  
 2-55 local institution of higher education and on completion submit a  
 2-56 copy of the needs assessment to the commission.

2-57 (b) A sex trafficking prevention needs assessment developed  
 2-58 under Subsection (a) must outline:

2-59 (1) the prevalence of sex trafficking crimes in the  
 2-60 municipality;

2-61 (2) strategies for reducing the number of sex  
 2-62 trafficking crimes in the municipality; and

2-63 (3) the municipality's need for additional funding for  
 2-64 sex trafficking prevention programs and initiatives.

2-65 Sec. 50.0052. APPLICATION. (a) A municipality may apply to  
 2-66 the commission in the form and manner prescribed by the commission  
 2-67 for a matching grant under this subchapter. To qualify for a grant,  
 2-68 an applicant must:

2-69 (1) develop a media campaign and appoint a municipal

3-1 employee to oversee the program; and  
 3-2 (2) provide proof that the applicant is able to obtain  
 3-3 or secure municipal money in an amount at least equal to the amount  
 3-4 of the awarded grant.

3-5 (b) The commission shall review applications for a matching  
 3-6 grant submitted under this section and award matching grants to  
 3-7 each municipality that demonstrates in the application the most  
 3-8 effective strategies for reducing the number of sex trafficking  
 3-9 crimes in the municipality and the greatest need for state funding.

3-10 (c) The commission may provide a grant under Subsection (b)  
 3-11 only in accordance with a contract between the commission and the  
 3-12 municipality. The contract must include provisions under which the  
 3-13 commission is granted sufficient control to ensure the public  
 3-14 purpose of sex trafficking prevention is accomplished and the state  
 3-15 receives the return benefit.

3-16 Sec. 50.0053. FUNDING. In addition to money appropriated  
 3-17 by the legislature, the commission may solicit and accept gifts,  
 3-18 grants, or donations from any source to administer and finance the  
 3-19 matching grant program established under this subchapter.

3-20 SUBCHAPTER C. SEX TRAFFICKING PREVENTION GRANT PROGRAM FOR LOCAL  
 3-21 LAW ENFORCEMENT

3-22 Sec. 50.0101. ESTABLISHMENT OF GRANT PROGRAM. (a) The  
 3-23 office of the governor, in collaboration with the Child Sex  
 3-24 Trafficking Prevention Unit established under Section 772.0062,  
 3-25 Government Code, shall establish and administer a grant program to  
 3-26 train local law enforcement officers to recognize signs of sex  
 3-27 trafficking.

3-28 (b) The office of the governor may establish eligibility  
 3-29 criteria for a grant applicant.

3-30 (c) A grant awarded under this section must include  
 3-31 provisions under which the office of the governor is provided  
 3-32 sufficient control to ensure the public purpose of sex trafficking  
 3-33 prevention is accomplished and the state receives the return  
 3-34 benefit.

3-35 Sec. 50.0102. FUNDING. In addition to money appropriated  
 3-36 by the legislature, the office of the governor may solicit and  
 3-37 accept gifts, grants, or donations from any source to administer  
 3-38 and finance the grant program established under this subchapter.

3-39 SECTION 4. As soon as practicable after the effective date  
 3-40 of this Act:

3-41 (1) the executive commissioner of the Health and Human  
 3-42 Services Commission shall adopt rules as necessary to implement  
 3-43 Subchapters A and B, Chapter 50, Health and Safety Code, as added by  
 3-44 this Act; and

3-45 (2) the governor shall adopt rules as necessary to  
 3-46 implement Subchapter C, Chapter 50, Health and Safety Code, as  
 3-47 added by this Act.

3-48 SECTION 5. Section 2155.0061, Government Code, as added by  
 3-49 this Act, applies only in relation to a state contract for which the  
 3-50 request for bids or proposals or other applicable expressions of  
 3-51 interest are made public on or after the effective date of this Act.

3-52 SECTION 6. Section 2155.077, Government Code, as amended by  
 3-53 this Act, applies only to a contract entered into on or after the  
 3-54 effective date of this Act.

3-55 SECTION 7. A state agency is required to implement a  
 3-56 provision of this Act only if the legislature appropriates money to  
 3-57 the agency specifically for the purpose of implementing the  
 3-58 applicable provision. If the legislature does not appropriate  
 3-59 money specifically for the purpose of implementing the applicable  
 3-60 provision, the agency may, but is not required to, implement the  
 3-61 provision using other appropriations available for that purpose.

3-62 SECTION 8. This Act takes effect September 1, 2019.

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