

1-1 By: Taylor S.B. No. 1831  
 1-2 (In the Senate - Filed March 12, 2021; March 26, 2021, read  
 1-3 first time and referred to Committee on Criminal Justice;  
 1-4 April 21, 2021, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 6, Nays 0; April 21, 2021,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1831 By: Bettencourt

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the punishment for trafficking of persons, online  
 1-20 solicitation of a minor, and prostitution and warning signs  
 1-21 regarding certain penalties for trafficking of persons; increasing  
 1-22 criminal penalties.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. This Act may be cited as the No Trafficking Zone  
 1-25 Act.

1-26 SECTION 2. Subchapter C, Chapter 37, Education Code, is  
 1-27 amended by adding Section 37.086 to read as follows:

1-28 Sec. 37.086. REQUIRED POSTING OF WARNING SIGNS OF INCREASED  
 1-29 TRAFFICKING PENALTIES. (a) In this section:

1-30 (1) "Premises" has the meaning assigned by Section  
 1-31 481.134, Health and Safety Code.

1-32 (2) "School" means a public or private primary or  
 1-33 secondary school.

1-34 (b) Each school shall post warning signs of the increased  
 1-35 penalties for trafficking of persons under Section 20A.02(b-1)(2),  
 1-36 Penal Code, at the following locations:

1-37 (1) parallel to and along the exterior boundaries of  
 1-38 the school's premises;

1-39 (2) at each roadway or other way of access to the  
 1-40 premises;

1-41 (3) for premises not fenced, at least every five  
 1-42 hundred feet along the exterior boundaries of the premises;

1-43 (4) at each entrance to the premises; and

1-44 (5) at conspicuous places reasonably likely to be  
 1-45 viewed by all persons entering the premises.

1-46 (c) The agency, in consultation with the human trafficking  
 1-47 prevention task force created under Section 402.035, Government  
 1-48 Code, shall adopt rules regarding the placement, installation,  
 1-49 design, size, wording, and maintenance procedures for the warning  
 1-50 signs required under this section. The rules must require that each  
 1-51 warning sign:

1-52 (1) include a description of the provisions of Section  
 1-53 20A.02(b-1), Penal Code, including the penalties for violating that  
 1-54 section;

1-55 (2) be written in English and Spanish; and

1-56 (3) be at least 8-1/2 by 11 inches in size.

1-57 (d) The agency shall provide each school without charge the  
 1-58 number of warning signs required to comply with this section and  
 1-59 rules adopted under this section. If the agency is unable to  
 1-60 provide each school with the number of signs necessary to comply

2-1 with Subsection (b), the agency may:  
2-2 (1) provide to a school fewer signs than the number  
2-3 necessary to comply with that section; and

2-4 (2) prioritize distribution of signs to schools based  
2-5 on reports of criminal activity in the areas near that school.

2-6 SECTION 3. Section 20A.01, Penal Code, is amended by adding  
2-7 Subdivisions (2-a) and (2-b) to read as follows:

2-8 (2-a) "Premises" has the meaning assigned by Section  
2-9 481.134, Health and Safety Code.

2-10 (2-b) "School" means a public or private primary or  
2-11 secondary school.

2-12 SECTION 4. Section 20A.02, Penal Code, is amended by  
2-13 amending Subsection (b) and adding Subsection (b-1) to read as  
2-14 follows:

2-15 (b) Except as otherwise provided by this subsection and  
2-16 Subsection (b-1), an offense under this section is a felony of the  
2-17 second degree. An offense under this section is a felony of the  
2-18 first degree if:

2-19 (1) the applicable conduct constitutes an offense  
2-20 under Subsection (a)(5), (6), (7), or (8), regardless of whether  
2-21 the actor knows the age of the child at the time of the offense;

2-22 (2) the commission of the offense results in the death  
2-23 of the person who is trafficked; or

2-24 (3) the commission of the offense results in the death  
2-25 of an unborn child of the person who is trafficked.

2-26 (b-1) An offense under this section is a felony of the first  
2-27 degree punishable by imprisonment in the Texas Department of  
2-28 Criminal Justice for life or for a term of not more than 99 years or  
2-29 less than 25 years if it is shown on the trial of the offense that  
2-30 the actor committed the offense in a location that was:

2-31 (1) on the premises of or within 1,000 feet of the  
2-32 premises of a school; or

2-33 (2) on premises or within 1,000 feet of premises  
2-34 where:

2-35 (A) an official school function was taking place;  
2-36 or

2-37 (B) an event sponsored or sanctioned by the  
2-38 University Interscholastic League was taking place.

2-39 SECTION 5. Section 33.021, Penal Code, is amended by adding  
2-40 Subsection (f-1) to read as follows:

2-41 (f-1) The punishment for an offense under this section is  
2-42 increased to the punishment prescribed for the next higher category  
2-43 of offense if it is shown on the trial of the offense that:

2-44 (1) the actor committed the offense during regular  
2-45 public or private primary or secondary school hours; and

2-46 (2) the actor knew or reasonably should have known  
2-47 that the minor was enrolled in a public or private primary or  
2-48 secondary school at the time of the offense.

2-49 SECTION 6. Section 43.01, Penal Code, is amended by adding  
2-50 Subdivisions (1-f) and (2-a) to read as follows.

2-51 (1-f) "Premises" has the meaning assigned by Section  
2-52 481.134, Health and Safety Code.

2-53 (2-a) "School" means a public or private primary or  
2-54 secondary school.

2-55 SECTION 7. Section 43.02, Penal Code, is amended by adding  
2-56 Subsection (c-2) to read as follows:

2-57 (c-2) The punishment prescribed for an offense under  
2-58 Subsection (b) is increased to the punishment prescribed for the  
2-59 next highest category of offense if it is shown on the trial of the  
2-60 offense that the actor committed the offense in a location that was:

2-61 (1) on the premises of or within 1,000 feet of the  
2-62 premises of a school; or

2-63 (2) on premises or within 1,000 feet of premises  
2-64 where:

2-65 (A) an official school function was taking place;  
2-66 or

2-67 (B) an event sponsored or sanctioned by the  
2-68 University Interscholastic League was taking place.

2-69 SECTION 8. The Texas Education Agency is required to

3-1 implement the change in law made by Section 37.086(d), Education  
3-2 Code, as added by this Act, only if the legislature appropriates  
3-3 money specifically for that purpose. If the legislature does not  
3-4 appropriate money specifically for that purpose, the agency may,  
3-5 but is not required to, implement the change in law made by Section  
3-6 37.086(d), Education Code, as added by this Act, using other  
3-7 appropriations available for that purpose.

3-8 SECTION 9. The changes in law made by this Act apply only to  
3-9 an offense committed on or after the effective date of this Act. An  
3-10 offense committed before the effective date of this Act is governed  
3-11 by the law in effect on the date the offense was committed, and the  
3-12 former law is continued in effect for that purpose. For purposes of  
3-13 this section, an offense was committed before the effective date of  
3-14 this Act if any element of the offense occurred before that date.

3-15 SECTION 10. This Act takes effect September 1, 2021.

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