

1-1 By: Thierry, et al. (Senate Sponsor - Whitmire) H.B. No. 3554
1-2 (In the Senate - Received from the House May 5, 2023;
1-3 May 10, 2023, read first time and referred to Committee on Criminal
1-4 Justice; May 17, 2023, reported favorably by the following vote:
1-5 Yeas 7, Nays 0; May 17, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Whitmire	X		
1-9	Flores	X		
1-10	Bettencourt	X		
1-11	Hinojosa	X		
1-12	Huffman	X		
1-13	King	X		
1-14	Miles	X		

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to increasing the criminal penalty for the offense of
1-18 trafficking of persons if committed at certain locations.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Sections 20A.02(b) and (b-1), Penal Code, are
1-21 amended to read as follows:

1-22 (b) Except as otherwise provided by this subsection and
1-23 Subsection (b-1), an offense under this section is a felony of the
1-24 second degree. An offense under this section is a felony of the
1-25 first degree if:

1-26 (1) the applicable conduct constitutes an offense
1-27 under Subsection (a)(5), (6), (7), or (8), regardless of whether
1-28 the actor knows the age of the child at the time of the offense;

1-29 (2) the commission of the offense results in the death
1-30 of the person who is trafficked; or

1-31 (3) the commission of the offense results in the death
1-32 of an unborn child of the person who is trafficked[~~, or~~

1-33 [~~(4) the actor recruited, enticed, or obtained the~~
1-34 ~~victim of the offense from a shelter or facility operating as a~~
1-35 ~~residential treatment center that serves runaway youth, foster~~
1-36 ~~children, the homeless, or persons subjected to human trafficking,~~
1-37 ~~domestic violence, or sexual assault].~~

1-38 (b-1) An offense under this section is a felony of the first
1-39 degree punishable by imprisonment in the Texas Department of
1-40 Criminal Justice for life or for a term of not more than 99 years or
1-41 less than 25 years if it is shown on the trial of the offense that
1-42 the actor committed the offense in a location that was:

1-43 (1) on the premises of or within 1,000 feet of the
1-44 premises of:

1-45 (A) a school;

1-46 (B) a juvenile detention facility;

1-47 (C) a post-adjudication secure correctional
1-48 facility;

1-49 (D) a shelter or facility operating as a
1-50 residential treatment center that serves runaway youth, foster
1-51 children, people who are homeless, or persons subjected to human
1-52 trafficking, domestic violence, or sexual assault;

1-53 (E) a community center offering youth services
1-54 and programs; or

1-55 (F) a child-care facility, as defined by Section
1-56 42.002, Human Resources Code; or

1-57 (2) on premises or within 1,000 feet of premises
1-58 where:

1-59 (A) an official school function was taking place;

1-60 or

1-61 (B) an event sponsored or sanctioned by the

2-1 University Interscholastic League was taking place.

2-2 SECTION 2. The change in law made by this Act applies only
2-3 to an offense committed on or after the effective date of this Act.
2-4 An offense committed before the effective date of this Act is
2-5 governed by the law in effect on the date the offense was committed,
2-6 and the former law is continued in effect for that purpose. For
2-7 purposes of this section, an offense was committed before the
2-8 effective date of this Act if any element of the offense occurred
2-9 before that date.

2-10 SECTION 3. This Act takes effect September 1, 2023.

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