

1-1 By: Parker S.B. No. 10
1-2 (In the Senate - Filed August 1, 2025; August 7, 2025, read
1-3 first time and referred to Committee on State Affairs;
1-4 August 11, 2025, reported favorably by the following vote:
1-5 Yeas 11, Nays 0; August 11, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Hughes	X		
1-9	Paxton	X		
1-10	Bettencourt	X		
1-11	Birdwell	X		
1-12	Hall	X		
1-13	Hinojosa of Nueces	X		
1-14	Middleton	X		
1-15	Parker	X		
1-16	Perry	X		
1-17	Schwertner	X		
1-18	Zaffirini	X		

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to an affirmative defense to prosecution for certain
1-22 victims of trafficking of persons or compelling prostitution.

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

1-24 SECTION 1. Chapter 8, Penal Code, is amended by adding
1-25 Section 8.09 to read as follows:

1-26 Sec. 8.09. VICTIM OF TRAFFICKING OR COMPELLING
1-27 PROSTITUTION. (a) Except as provided by Subsection (b), it is an
1-28 affirmative defense to prosecution that the actor:

1-29 (1) was a victim of an offense under Section 20A.02 or
1-30 43.05; and

1-31 (2) engaged in the conduct that is the subject of the
1-32 prosecution as a direct result of being caused, through means of
1-33 force, fraud, or coercion as described by Subsection (c), to engage
1-34 in that specific conduct.

1-35 (b) Subsection (a) applies only if:

1-36 (1) the actor would not have engaged in the conduct
1-37 that is the subject of the prosecution but for the use of force,
1-38 fraud, or coercion;

1-39 (2) the use of force, fraud, or coercion would have
1-40 compelled a reasonable person in the actor's circumstances to
1-41 engage in the conduct;

1-42 (3) the actor was not merely afforded an opportunity
1-43 to engage in the conduct without the use of force, fraud, or
1-44 coercion; and

1-45 (4) the conduct does not constitute an offense listed
1-46 in Article 42A.054(a), Code of Criminal Procedure, unless the actor
1-47 is charged only as a party to that offense under Section 7.01.

1-48 (c) For purposes of this section, "force, fraud, or
1-49 coercion" has the same meaning as in Section 20A.02.

1-50 (d) Information relevant to the identification of a
1-51 defendant's status as a victim of an offense described by
1-52 Subsection (a)(1) may be offered to establish an affirmative
1-53 defense under this section.

1-54 (e) For purposes of this section, the actor is not required
1-55 to prove that the person using force, fraud, or coercion to cause
1-56 the actor to engage in the conduct that is the subject of the
1-57 prosecution was charged with or convicted of an offense under
1-58 Section 20A.02 or 43.05.

1-59 SECTION 2. The change in law made by this Act applies only
1-60 to the prosecution of an offense committed on or after the effective
1-61 date of this Act. The prosecution of an offense committed before

2-1 the effective date of this Act is governed by the law in effect on
2-2 the date the offense was committed, and the former law is continued
2-3 in effect for that purpose. For purposes of this section, an
2-4 offense was committed before the effective date of this Act if any
2-5 element of the offense occurred before that date.

2-6 SECTION 3. This Act takes effect on the 91st day after the
2-7 last day of the legislative session.

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