

1-1 By: Paxton, Middleton S.B. No. 1212
1-2 (In the Senate - Filed February 11, 2025;
1-3 February 28, 2025, read first time and referred to Committee on
1-4 Criminal Justice; May 5, 2025, reported favorably by the following
1-5 vote: Yeas 7, Nays 0; May 5, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Flores	X		
1-9	Parker	X		
1-10	Hagenbuch	X		
1-11	Hinojosa of Hidalgo	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 the prosecution and punishment for the offense of
1-18 trafficking of persons; increasing a criminal penalty.

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

1-20 SECTION 1. Section 20A.02(a), Penal Code, is amended to
1-21 read as follows:

1-22 (a) A person commits an offense if the person knowingly:

1-23 (1) traffics another person with the intent that the
1-24 trafficked person engage in forced labor or services;

1-25 (2) receives a benefit from participating in a venture
1-26 that involves an activity described by Subdivision (1), including
1-27 by receiving labor or services the person knows are forced labor or
1-28 services;

1-29 (3) traffics another person and, through force, fraud,
1-30 or coercion, causes the trafficked person to engage in conduct
1-31 prohibited by:

1-32 (A) Section 43.02 (Prostitution);

1-33 (B) Section 43.03 (Promotion of Prostitution);

1-34 (B-1) Section 43.031 (Online Promotion of
1-35 Prostitution);

1-36 (C) Section 43.04 (Aggravated Promotion of
1-37 Prostitution);

1-38 (C-1) Section 43.041 (Aggravated Online
1-39 Promotion of Prostitution); or

1-40 (D) Section 43.05 (Compelling Prostitution);

1-41 (4) receives a benefit from participating in a venture
1-42 that involves an activity described by Subdivision (3) or engages
1-43 in sexual conduct with a person trafficked in the manner described
1-44 in Subdivision (3);

1-45 (5) traffics a child or disabled individual with the
1-46 intent that the trafficked child or disabled individual engage in
1-47 forced labor or services, regardless of whether the person knows
1-48 the age of the child or whether the person knows the victim is
1-49 disabled;

1-50 (6) receives a benefit from participating in a venture
1-51 that involves an activity described by Subdivision (5), including
1-52 by receiving labor or services the person knows are forced labor or
1-53 services, regardless of whether the person knows the age of the
1-54 child or whether the person knows the victim is disabled;

1-55 (7) traffics a child or disabled individual,
1-56 regardless of whether the person knows the age of the child or
1-57 whether the person knows the victim is disabled, and by any means
1-58 causes the trafficked child or disabled individual to engage in, or
1-59 become the victim of, conduct prohibited by:

1-60 (A) Section 21.02 (Continuous Sexual Abuse of
1-61 Young Child or Disabled Individual);

- 2-1 (B) Section 21.11 (Indecency with a Child);
- 2-2 (C) Section 22.011 (Sexual Assault);
- 2-3 (D) Section 22.021 (Aggravated Sexual Assault);
- 2-4 (E) Section 43.02 (Prostitution);
- 2-5 (E-1) Section 43.021 (Solicitation of
- 2-6 Prostitution);
- 2-7 (F) Section 43.03 (Promotion of Prostitution);
- 2-8 (F-1) Section 43.031 (Online Promotion of
- 2-9 Prostitution);
- 2-10 (G) Section 43.04 (Aggravated Promotion of
- 2-11 Prostitution);
- 2-12 (G-1) Section 43.041 (Aggravated Online
- 2-13 Promotion of Prostitution);
- 2-14 (H) Section 43.05 (Compelling Prostitution);
- 2-15 (I) Section 43.25 (Sexual Performance by a
- 2-16 Child);
- 2-17 (J) Section 43.251 (Employment Harmful to
- 2-18 Children); or
- 2-19 (K) Section 43.26 (Possession or Promotion of
- 2-20 Child Pornography); or

2-21 (8) receives a benefit from participating in a venture
 2-22 that involves an activity described by Subdivision (7) or engages
 2-23 in sexual conduct with a child or disabled individual trafficked in
 2-24 the manner described in Subdivision (7), regardless of whether the
 2-25 person knows the age of the child or whether the person knows the
 2-26 victim is disabled.

2-27 SECTION 2. Section 20A.02(b), Penal Code, as amended by
 2-28 Chapters 93 (S.B. 1527) and 452 (H.B. 3554), Acts of the 88th
 2-29 Legislature, Regular Session, 2023, is reenacted and amended to
 2-30 read as follows:

2-31 (b) Except as otherwise provided by [~~this subsection and~~]
 2-32 Subsection (b-1), an offense under this section is a felony of the
 2-33 [~~second degree. An offense under this section is a felony of the~~]
 2-34 first degree [~~if:~~

2-35 [~~(1) the applicable conduct constitutes an offense~~
 2-36 ~~under Subsection (a)(5), (6), (7), or (8), regardless of whether~~
 2-37 ~~the actor knows the age of the child or whether the actor knows the~~
 2-38 ~~victim is disabled at the time of the offense;~~

2-39 [~~(2) the commission of the offense results in serious~~
 2-40 ~~bodily injury to or the death of the person who is trafficked; or~~

2-41 [~~(3) the commission of the offense results in the~~
 2-42 ~~death of an unborn child of the person who is trafficked; or~~

2-43 [~~(4) the actor:~~
 2-44 [~~(A) used or exhibited a deadly weapon during the~~
 2-45 ~~commission of the offense;~~

2-46 [~~(B) intentionally, knowingly, or recklessly~~
 2-47 ~~impeded the normal breathing or circulation of the blood of the~~
 2-48 ~~trafficked person by applying pressure to the person's throat or~~
 2-49 ~~neck or by blocking the person's nose or mouth].~~

2-50 SECTION 3. Section 20A.02(b-1), Penal Code, as amended by
 2-51 Chapters 451 (H.B. 3553) and 452 (H.B. 3554), Acts of the 88th
 2-52 Legislature, Regular Session, 2023, is reenacted and amended to
 2-53 read as follows:

2-54 (b-1) An offense under this section is a felony of the first
 2-55 degree punishable by imprisonment in the Texas Department of
 2-56 Criminal Justice for life or for a term of not more than 99 years or
 2-57 less than 25 years if it is shown on the trial of the offense that
 2-58 the actor committed the offense in a location that was:

2-59 (1) on the premises of or within 1,000 feet of the
 2-60 premises of:

2-61 (A) a school; [~~or~~]

2-62 (B) an institution of higher education or private
 2-63 or independent institution of higher education, as defined by
 2-64 Section 61.003, Education Code; [~~or~~]

2-65 (C) [~~(B)~~] a juvenile detention facility;

2-66 (D) [~~(C)~~] a post-adjudication secure
 2-67 correctional facility;

2-68 (E) [~~(D)~~] a shelter or facility operating as a
 2-69 residential treatment center that serves runaway youth, foster

3-1 children, people who are homeless, or persons subjected to human
3-2 trafficking, domestic violence, or sexual assault;

3-3 (F) [~~(E)~~] a community center offering youth
3-4 services and programs; or

3-5 (G) [~~(F)~~] a child-care facility, as defined by
3-6 Section 42.002, Human Resources Code; or

3-7 (2) on the premises where or within 1,000 feet of the
3-8 premises where:

3-9 (A) an official school function was taking place;
3-10 or

3-11 (B) an event sponsored or sanctioned by the
3-12 University Interscholastic League was taking place.

3-13 SECTION 4. Section 2(a), Article 38.37, Code of Criminal
3-14 Procedure, is amended to read as follows:

3-15 (a) Subsection (b) applies only to the trial of a defendant
3-16 for:

3-17 (1) an offense under any of the following provisions
3-18 of the Penal Code:

3-19 (A) Section 20A.02(a)(5), (6), (7), or (8)
3-20 [~~20A.02, if punishable as a felony of the first degree under Section~~

3-21 ~~20A.02(b)(1)] (Labor or Sex Trafficking of a Child or Disabled
3-22 Individual);~~

3-23 (B) Section 21.02 (Continuous Sexual Abuse of
3-24 Young Child or Disabled Individual);

3-25 (C) Section 21.11 (Indecency With a Child);

3-26 (D) Section 22.011(a)(2) (Sexual Assault of a
3-27 Child);

3-28 (E) Sections 22.021(a)(1)(B) and (2) (Aggravated
3-29 Sexual Assault of a Child);

3-30 (F) Section 33.021 (Online Solicitation of a
3-31 Minor);

3-32 (G) Section 43.25 (Sexual Performance by a
3-33 Child); or

3-34 (H) Section 43.26 (Possession or Promotion of
3-35 Child Pornography), Penal Code; or

3-36 (2) an attempt or conspiracy to commit an offense
3-37 described by Subdivision (1).

3-38 SECTION 5. The change in law made by this Act applies only
3-39 to an offense committed on or after the effective date of this Act.
3-40 An offense committed before the effective date of this Act is
3-41 governed by the law in effect on the date the offense was committed,
3-42 and the former law is continued in effect for that purpose. For
3-43 purposes of this section, an offense was committed before the
3-44 effective date of this Act if any element of the offense occurred
3-45 before that date.

3-46 SECTION 6. This Act takes effect September 1, 2025.

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