

Texas Human Trafficking Prevention Task Force
88th Texas Legislative Recommendations

STATUTORY CLEAN-UP		
PROPOSAL	STATUTE	BACKGROUND
Add TEA as a Coordinating Council Member	Government Code Section 402.034	Having TEA on the council will maximize efficiencies across the state and enhance Coordinating Council efforts, especially given the many school-based legislative mandates that passed last session.
Move “no trafficking zones” to the correct statutory section	Penal Code Sections 43.02 and 43.021	This change will achieve the intended purpose of the statutory language under Penal Code Section 43.02(c-2).
Modify Penal Code Section 43.021(b)(2) to include “offers and agrees” language	Penal Code Section 43.021	This amendment would provide consistency between provisions and provide broader protections for victims.
Include continuous in Code of Criminal Procedure Article 38.37 extraneous conduct	Code of Criminal Procedure Article 38.37	This amendment would allow prosecutors to prove other offenses related to human trafficking in a trial for human trafficking.
INCREASING INVESTIGATIVE AND PROSECUTORIAL TOOLS		
PROPOSAL	STATUTE	BACKGROUND
Add child grooming protections	Add new section to Chapter 25 of Penal Code or expand	This change will allow law enforcement to prevent harm to child victims by giving authority for arrests of human trafficker’s pre-harm activity in order to minimize victimization where there is evidence of enticement and/or coercion.
Increase penalties for human traffickers that use excessive force	Penal Code Chapter 20A	This modification will both deter human traffickers from using serious force against victims while also adequately punishing those who do so.
Flag driver licenses for human trafficking	Code of Criminal Procedure Article 42.016	The differentiation between a sex offender and a human trafficker could assist law enforcement in identifying connections in cases across the state.
Allow outcry in all human trafficking prosecutions involving children	Code of Criminal Procedure Article 38.072	Due to the trauma of outcry and the trauma of testifying in court, allowing evidence of outcry in cases involving all child victims of human trafficking would assist prosecutions.
Allow certain evidence, including the nature of the relationship, for human trafficking prosecutions	Add new section to Code of Criminal Procedure Article 38.372, See HB 2794 (87R)	This gives prosecutors more tools to explain the relationship and history of human traffickers.
Modify Code of Criminal Procedure Article 2.305 to increase effectiveness of HB 3800 data collection efforts	Code of Criminal Procedure Article 2.305	Changes would allow for 1) better tracking of cases and suspects, 2) protection for ongoing investigation and victims, 3) more efficient use of state resources, and 4) more efficient tracking of compliance resulting in a more comprehensive data sample.
VICTIM PROTECTIONS		
PROPOSAL	STATUTE	BACKGROUND
Add protections for victims of human trafficking with significant disabilities	Penal Code Section 20A.02(7)	This amendment would protect adults with disabilities who are vulnerable to human trafficking, especially those with disabilities that affect their ability to assess safety or care for themselves without assistance.
Enhance child pornography sentences when multiple images are possessed or promoted	Penal Code Section 43.26	Often human trafficking prosecutions are unable to move forward but a prosecutor can still prove possession of child pornography. This change would give prosecutors more tools to enhance the punishment of traffickers in these situations.