

## **BILL ANALYSIS**

Senate Research Center  
86R24088 JCG-D

H.B. 3800  
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Criminal Justice  
5/16/2019  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Office of the Attorney General's Human Trafficking and Transnational Organized Crime (HTTOC) section is designed to fight back against the horrific crime of human trafficking through investigations, prosecutions, training, and raising awareness. This unit provides the state with a new weapon in the fight against human trafficking, transnational gangs, and organized crime syndicates that threaten the fundamental liberties of the people of Texas.

The HHTOC section and the State of Texas, in general, would benefit from additional information and resources, including uniform reporting and centralized collection of information regarding human trafficking cases in Texas. H.B. 3800 seeks to provide the State with more information and resources to continue the fight against human trafficking.

H.B. 3800 amends current law relating to required reporting of human trafficking cases by certain law enforcement entities and by prosecutors.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas attorney general in SECTION 1 (Article 2.305, Code of Criminal Procedure) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 2, Code of Criminal Procedure, by adding Article 2.305, as follows:

Art. 2.305. REPORT REQUIRED CONCERNING HUMAN TRAFFICKING CASES.

(a) Provides that this article applies only to:

- (1) a municipal police department, sheriff's department, constable's office, county attorney's office, district attorney's office, and criminal district attorney's office, as applicable, in a county with a population of more than 50,000; and
- (2) the Department of Public Safety of the State of Texas (DPS).

(b) Requires an entity described by Subsection (a) that investigates the alleged commission of an offense under Chapter 20A (Trafficking of Persons), Penal Code, or the alleged commission of an offense under Chapter 43 (Public Indecency), Penal Code, which may involve human trafficking, to submit to the Texas attorney general (attorney general) certain information.

(c) Requires an attorney representing the state who prosecutes the alleged commission of an offense under Chapter 20A, Penal Code, or the alleged commission of an offense under Chapter 43, Penal Code, which may involve human trafficking, to submit to the attorney general certain information.

(d) Requires the attorney general to enter into a contract with a university that provides for the university's assistance in the collection and analysis of information received under this article.

(e) Requires the attorney general, in consultation with the entities described by Subsection (a), to adopt rules to administer this article, including rules prescribing the form and manner of submission of a report required by Subsection (b) or (c) and additional information to include in a report required by Subsection (b) or (c).

SECTION 2. Provides that, notwithstanding Article 2.305, Code of Criminal Procedure, as added by this Act:

(1) DPS is not required to comply with that article until August 1, 2020; and

(2) an entity described by Subsection (a) of that article, other than DPS if located in a county with a population of more than 500,000, is not required to comply with that article until August 1, 2020, and if located in a county with a population of 500,000 or less, is not required to comply with that article until August 1, 2021.

SECTION 3. Effective date: September 1, 2019.