

BILL ANALYSIS

C.S.H.B. 272
By: Thompson, Senfronia
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that the opportunity for commercial driver's license applicants to receive anti-human trafficking training could place numerous informed drivers across Texas in positions where they can observe, obtain actionable information, and report to law enforcement to effectively prevent human trafficking. C.S.H.B. 272 seeks to address this issue by including education and training regarding human trafficking in the curriculum of commercial driver's license training programs.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 and the Texas Workforce Commission in SECTION 2 of this bill.

ANALYSIS

C.S.H.B. 272 amends the Education Code to require the Texas Higher Education Coordinating Board by rule to require each public junior college offering a commercial driver's license training program to include as a part of that program education and training on the recognition and prevention of human trafficking. The bill requires the coordinating board, in collaboration with the office of the attorney general, to establish the content of the education and training required for such a program. The bill requires the Texas Workforce Commission (TWC) by rule to require each career school or college offering a commercial driver's license training program to include as a part of that program education and training on the recognition and prevention of human trafficking. The bill requires the TWC, in collaboration with the office of the attorney general, to establish the content of the education and training required for such a program. The bill requires the coordinating board and the TWC, not later than December 1, 2017, to adopt the rules necessary to implement the bill's provisions, as applicable.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 272 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 522.021, Transportation Code, is amended by adding Subsection (a-2) to read as follows:

(a-2) An applicant for a commercial driver's license must furnish to the department evidence satisfactory to the department that the applicant has successfully completed a recognition and prevention of human trafficking training course approved by the department under Section 522.035.

SECTION 2. Section 522.022, Transportation Code, is amended to read as follows:

Sec. 522.022. LICENSE REQUIREMENTS. The department may not issue a commercial driver's license other than a non-domiciled license to a person unless the person:

- (1) has a domicile:
 - (A) in this state; or
 - (B) in another state and is a member of the United States armed forces, including a member of the National Guard or a reserve or auxiliary unit of any branch of the armed forces, whose temporary or permanent duty station is located in this state;
- (2) has passed knowledge and skills tests for driving a commercial motor vehicle that comply with minimal federal standards established by 49 C.F.R. Part 383, Subparts G and H; ~~and~~
- (3) has completed a recognition and prevention of human trafficking training course approved by the department under Section 522.035; and
- (4) has satisfied the requirements imposed by the federal act, federal regulation, or state law.

SECTION 3. Subchapter C, Chapter 522, Transportation Code, is amended by adding Section 522.035 to read as follows:

Sec. 522.035. RECOGNITION AND PREVENTION OF HUMAN TRAFFICKING TRAINING COURSE. (a) The department by rule shall:

- (1) prescribe minimum standards for the training course on the recognition and prevention of human trafficking that is

HOUSE COMMITTEE SUBSTITUTE

No equivalent provision.

No equivalent provision.

No equivalent provision.

required for commercial driver's license applicants under Section 522.022; and
(2) develop an approval procedure for training courses that meet the minimum standards prescribed under this subsection.
(b) In adopting the rules, the department may consult with organizations that develop training courses on the recognition and prevention of human trafficking.

No equivalent provision.

SECTION 1. Subchapter A, Chapter 130, Education Code, is amended by adding Section 130.0105 to read as follows:

Sec. 130.0105. COMMERCIAL DRIVER'S LICENSE TRAINING PROGRAM; CERTAIN CURRICULUM REQUIREMENTS. (a) The Texas Higher Education Coordinating Board by rule shall require each public junior college offering a commercial driver's license training program to include as a part of that program education and training on the recognition and prevention of human trafficking.

(b) The Texas Higher Education Coordinating Board, in collaboration with the office of the attorney general, shall establish the content of the education and training required by this section.

No equivalent provision.

SECTION 2. Subchapter A, Chapter 132, Education Code, is amended by adding Section 132.006 to read as follows:

Sec. 132.006. COMMERCIAL DRIVER'S LICENSE TRAINING PROGRAM; CERTAIN CURRICULUM REQUIREMENTS. (a) The commission by rule shall require each career school or college offering a commercial driver's license training program to include as a part of that program education and training on the recognition and prevention of human trafficking.

(b) The commission, in collaboration with the office of the attorney general, shall establish the content of the education and training required by this section.

SECTION 4. (a) Not later than December 1, 2017, the Department of Public Safety shall adopt rules necessary to implement Section 522.035, Transportation Code, as added by this Act.

SECTION 3. (a) Not later than December 1, 2017, the Texas Higher Education Coordinating Board shall adopt rules necessary to implement Section 130.0105, Education Code, as added by this Act.

(b) Not later than December 1, 2017, the Texas Workforce Commission shall adopt rules necessary to implement Section 132.006, Education Code, as added by this Act.

(b) The changes in law made by this Act apply only to an application for an original commercial driver's license submitted on or after the effective date of this Act. An application for an original commercial driver's license submitted before the effective date of this Act is governed by the law in effect when the application was submitted, and the former law is continued in effect for that purpose.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

SECTION 4. Same as introduced version.