

## **BILL ANALYSIS**

Senate Research Center  
84R17284 YDB-D

H.B. 1217  
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Engrossed

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

One of the most vulnerable populations affected by human trafficking are the children who run away from home, domestic minors. According to the National Center for Missing and Exploited Children, it is estimated that 67 percent of likely child trafficking victims reported missing were either in foster care or a group home setting prior to running away. Children removed from their families due to abuse or neglect, often young girls, run away from the state's official care and may become victims of child trafficking and sexual exploitation.

Currently, the Department of Family and Protective Services (DFPS) is required to conduct an interview with a missing child to determine the reason the child was missing and where the child stayed during that time. DFPS is then required to report to an appropriate law enforcement agency. However, DFPS does not currently collect information related to a child being a potential victim of human trafficking. H.B. 1217 requires DFPS to determine if the child, while missing, was a possible victim of trafficking. Additionally, H.B. 1217 requires DFPS to collect certain information on each child and prepare a report to be made available on DFPS's website.

H.B. 1217 amends current law relating to reporting information for certain foster children who are missing or are victims of sex trafficking.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends the heading to Section 264.123, Family Code, to read as follows:

Sec. 264.123. REPORTS CONCERNING CHILDREN WHO ARE MISSING OR VICTIMS OF SEX TRAFFICKING.

SECTION 2. Amends Section 264.123, Family Code, by amending Subsection (f) and adding Subsections (g) and (h), as follows:

(f) Requires the Department of Family and Protective Services (DFPS), after a missing child returns to the child's substitute care provider, to interview the child to determine the reasons why the child was missing, where the child stayed during the time the child was missing, and whether, while missing, the child was a victim of conduct that constitutes an offense under Section 20A.02(a)(7) (providing that a person commits an offense if the person knowingly traffics a child and by any means causes the trafficked child to engage in, or become the victim of, certain prohibited conduct), Penal Code.

(g) Requires DFPS to collect information on each child in DFPS's managing conservatorship who is missing from the child's substitute care provider and on each child who, while in DFPS's managing conservatorship, is a victim of conduct that constitutes an offense under Section 20A.02(a)(7), Penal Code. Requires that the collected information include information on:

- (1) whether the managing conservatorship of DFPS is temporary or permanent;
- (2) the type of substitute care in which the child is placed; and
- (3) the child's sex, age, race, and ethnicity and the DFPS region in which the child resides.

(h) Requires DFPS to prepare an annual report on the information collected under Subsection (g) and make the report available on DFPS's Internet website. Prohibits the report from including any individually identifiable information regarding a child who is the subject of information in the report.

SECTION 3. Effective date: September 1, 2015.