

## **BILL ANALYSIS**

Senate Research Center  
85R5563 TSR-D

S.B. 666  
By: Kolkhorst  
Business & Commerce  
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As Filed

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

Sex trafficking is a form of modern-day slavery. This crime occurs when a trafficker uses force, fraud, or coercion to control another person for the purpose of engaging in commercial sex acts against their will. Texas has the second most number of human trafficking cases in the nation. In 2015 the National Human Trafficking Resource Center Hotline (NHTRC) received 1,876 calls concerning suspected cases in Texas alone. The Texas Human Trafficking Prevention Task Force reported 737 incidents of human trafficking from 2007 to 2014. Interested parties estimate there are currently 313,000 minor and youth victims of human trafficking in Texas, but given the nature of undetected cases, the scope of the problem could be greater. Minor and youth trafficking alone cost the state approximately \$6.6 billion.

S.B. 666 requires sexually oriented businesses to display posters containing contact information to the NHTRC on the inner side of restroom stalls. Restroom stalls are one of the few places where victims may be unsupervised, and the right information at the right time can make a difference. Victims of sex trafficking deserve to have access to information that may help them find a way out of their captivity. S.B. 666 will raise public awareness of human trafficking, especially in locations where human trafficking may be prevalent. Increasing public awareness about the risks and signs of human trafficking is an important piece of any human trafficking prevention strategy. Should S.B. 666 pass, Texas will join 19 other states in promoting human trafficking posters in sexually oriented business.

As proposed, S.B. 666 amends current law relating to signs required to be posted in the restrooms of sexually oriented businesses and provides a criminal penalty.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the attorney general in SECTION 1 (Section 102.101, Business & Commerce Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 102, Business & Commerce Code, by adding Subchapter C, as follows:

#### **SUBCHAPTER C. NOTICE REQUIREMENTS ON PREMISES OF SEXUALLY ORIENTED BUSINESSES**

Sec. 102.101 POSTING OF CERTAIN SIGNS REQUIRED. (a) Requires a sexually oriented business to post in each toilet stall of each restroom on the premises a sign that directs a victim of human trafficking to contact the National Human Trafficking Resource Center. Requires the business, if a restroom does not have a toilet stall, to post the sign in a conspicuous location in the restroom.

(b) Requires the attorney general, by rule, to prescribe the design, content, and manner of display of a sign required under this section. Requires the sign to meet certain conditions.

(c) Authorizes the attorney general, by rule, to require the sign to meet certain additional conditions.

Sec. 102.102. CRIMINAL PENALTY. (a) Provides that a person commits an offense if the person is an owner or operator of a sexually oriented business and fails to post the required sign in compliance with and under the rules adopted under Section 102.101.

(b) Provides that an offense under this section is a Class C misdemeanor. Provides that, if it is shown on the trial of an offense under this section that the person has previously been convicted of an offense under this section, the offense is a Class B misdemeanor.

SECTION 2. (a) Requires the attorney general to adopt rules to implement Section 102.101, Business & Commerce Code, as added by this Act, not later than September 1, 2018.

(b) Requires each sexually oriented business to post the sign required by Section 102.101, Business & Commerce Code, as added by this Act, not later than March 1, 2019.

SECTION 3. (a) Effective date, except as provided by Subsection (b) of this section: September 1, 2017.

(b) Effective date, Section 102.102, Business & Commerce Code, as added by this Act: March 1, 2019.