

HEALTH AND SAFETY CODE

TITLE 2. HEALTH

SUBTITLE B. HEALTH PROGRAMS

CHAPTER 50. SEX TRAFFICKING PREVENTION AND VICTIM TREATMENT
PROGRAMS

SUBCHAPTER A. TREATMENT PROGRAM FOR VICTIMS OF CHILD SEX
TRAFFICKING

Sec. 50.0001. DEFINITIONS. In this subchapter:

(1) "Child sex trafficking" has the meaning assigned by Section [772.0062](#), Government Code.

(2) "Program" means the treatment program for victims of child sex trafficking established under this subchapter.

Added by Acts 2019, 86th Leg., R.S., Ch. 413 (S.B. [20](#)), Sec. 5.01, eff. September 1, 2019.

Sec. 50.0002. ESTABLISHMENT; PURPOSE. The commission, in collaboration with the institution designated under Section [50.0003](#), shall establish a program to improve the quality and accessibility of care for victims of child sex trafficking in this state.

Added by Acts 2019, 86th Leg., R.S., Ch. 413 (S.B. [20](#)), Sec. 5.01, eff. September 1, 2019.

Sec. 50.0003. DESIGNATION OF INSTITUTION; OPERATION OF PROGRAM. (a) The commission shall designate a health-related institution of higher education to operate the program.

(b) The designated institution shall improve the quality and accessibility of care for victims of child sex trafficking by:

(1) dedicating a unit at the institution to provide or contract for inpatient care for victims of child sex trafficking;

(2) dedicating a unit at the institution to provide or contract for outpatient care for victims of child sex trafficking;

(3) creating opportunities for research and workforce expansion related to treatment of victims of child sex trafficking;
and

(4) assisting other health-related institutions of higher education in this state to establish similar programs.

(c) The commission shall solicit and review applications from health-related institutions of higher education before designating an institution under this section.

Added by Acts 2019, 86th Leg., R.S., Ch. 413 (S.B. 20), Sec. 5.01, eff. September 1, 2019.

Sec. 50.0004. FUNDING. In addition to money appropriated by the legislature, the designated institution may accept gifts, grants, and donations from any public or private person for the purpose of carrying out the program.

Added by Acts 2019, 86th Leg., R.S., Ch. 413 (S.B. 20), Sec. 5.01, eff. September 1, 2019.

Sec. 50.0005. RULES. The executive commissioner shall adopt rules necessary to implement this subchapter.

Added by Acts 2019, 86th Leg., R.S., Ch. 413 (S.B. 20), Sec. 5.01, eff. September 1, 2019.

SUBCHAPTER B. MATCHING GRANT PROGRAM FOR MUNICIPAL SEX TRAFFICKING PREVENTION PROGRAMS

Sec. 50.0051. ESTABLISHMENT OF MATCHING GRANT PROGRAM.

(a) The commission shall establish a matching grant program to award to a municipality a grant in an amount equal to the amount committed by the municipality for the development of a sex trafficking prevention needs assessment. A municipality that is awarded a grant must develop the needs assessment in collaboration with a local institution of higher education and on completion submit a copy of the needs assessment to the commission.

(b) A sex trafficking prevention needs assessment developed under Subsection (a) must outline:

(1) the prevalence of sex trafficking crimes in the municipality;

(2) strategies for reducing the number of sex trafficking crimes in the municipality; and

(3) the municipality's need for additional funding for sex trafficking prevention programs and initiatives.

Added by Acts 2019, 86th Leg., R.S., Ch. 413 (S.B. 20), Sec. 5.01, eff. September 1, 2019.

Sec. 50.0052. APPLICATION. (a) A municipality may apply to the commission in the form and manner prescribed by the commission for a matching grant under this subchapter. To qualify for a grant, an applicant must:

(1) develop a media campaign and appoint a municipal employee to oversee the program; and

(2) provide proof that the applicant is able to obtain or secure municipal money in an amount at least equal to the amount of the awarded grant.

(b) The commission shall review applications for a matching grant submitted under this section and award matching grants to each municipality that demonstrates in the application the most effective strategies for reducing the number of sex trafficking crimes in the municipality and the greatest need for state funding.

(c) The commission may provide a grant under Subsection (b) only in accordance with a contract between the commission and the municipality. The contract must include provisions under which the commission is granted sufficient control to ensure the public purpose of sex trafficking prevention is accomplished and the state receives the return benefit.

Added by Acts 2019, 86th Leg., R.S., Ch. 413 (S.B. 20), Sec. 5.01, eff. September 1, 2019.

Sec. 50.0053. FUNDING. In addition to money appropriated by the legislature, the commission may solicit and accept gifts, grants, or donations from any source to administer and finance the matching grant program established under this subchapter.

Added by Acts 2019, 86th Leg., R.S., Ch. 413 (S.B. 20), Sec. 5.01, eff. September 1, 2019.

SUBCHAPTER C. SEX TRAFFICKING PREVENTION GRANT PROGRAM FOR LOCAL
LAW ENFORCEMENT

Sec. 50.0101. ESTABLISHMENT OF GRANT PROGRAM. (a) The office of the governor, in collaboration with the Child Sex Trafficking Prevention Unit established under Section 772.0062, Government Code, shall establish and administer a grant program to train local law enforcement officers to recognize signs of sex trafficking.

(b) The office of the governor may establish eligibility criteria for a grant applicant.

(c) A grant awarded under this section must include provisions under which the office of the governor is provided sufficient control to ensure the public purpose of sex trafficking prevention is accomplished and the state receives the return benefit.

Added by Acts 2019, 86th Leg., R.S., Ch. 413 (S.B. 20), Sec. 5.01, eff. September 1, 2019.

Sec. 50.0102. FUNDING. In addition to money appropriated by the legislature, the office of the governor may solicit and accept gifts, grants, or donations from any source to administer and finance the grant program established under this subchapter.

Added by Acts 2019, 86th Leg., R.S., Ch. 413 (S.B. 20), Sec. 5.01, eff. September 1, 2019.

SUBCHAPTER D. TRAFFICKED PERSONS GRANT PROGRAM

Sec. 50.0151. DEFINITIONS. In this subchapter:

(1) "Account" means the trafficked persons program account established under Section 50.0153.

(2) "Department" means the Department of Family and Protective Services.

(3) "Grant program" means the trafficked persons grant program established under Section 50.0155.

Added by Acts 2021, 87th Leg., R.S., Ch. 704 (H.B. 2633), Sec. 1, eff. September 1, 2021.

Sec. 50.0152. PURPOSE. The purpose of the trafficked persons program account is to provide money:

(1) to substantiate this state's interest in publicly operated and funded shelter and treatment for victims of an offense of trafficking of persons as defined by Article 56B.003, Code of Criminal Procedure;

(2) to prevent the recruitment of human trafficking victims within mixed-status child, youth, and young adult shelters;

(3) for consistent and recurring funding of long-term solutions for providing research-based treatment and safe and secure shelter to child, youth, and young adult victims of human trafficking;

(4) for financial stability of local governments, private partners, and medical facilities in planning, building, and maintaining dedicated housing and recovery programs for victims of human trafficking; and

(5) to raise awareness of the account among businesses and philanthropists in this state and to strengthen public and private partnerships established to end the practice of human trafficking.

Added by Acts 2021, 87th Leg., R.S., Ch. 704 (H.B. 2633), Sec. 1, eff. September 1, 2021.

Sec. 50.0153. ESTABLISHMENT OF ACCOUNT. (a) The trafficked persons program account is a dedicated account in the general revenue fund.

(b) The account consists of:

(1) contributions made under Section 2054.252, Government Code;

(2) contributions made under Sections 502.416, 521.013, and 522.0296, Transportation Code;

(3) fees for the specialty license plates issued under Section 504.675, Transportation Code;

(4) gifts, grants, and donations received for the account; and

(5) interest, dividends, and other income of the

account.

(c) Section 403.0956, Government Code, does not apply to the account.

(d) Money in the account may be appropriated only to:

- (1) the grant program;
- (2) the sex trafficking prevention and victim treatment programs established under this chapter;
- (3) the trafficked persons program established under Section 54.04012, Family Code; and
- (4) the administration of a program described by Section 264.004(d), Family Code.

(e) The legislature may not use money in the account to offset any other appropriations designated to the department or commission.

Added by Acts 2021, 87th Leg., R.S., Ch. 704 (H.B. 2633), Sec. 1, eff. September 1, 2021.

Sec. 50.0154. ACCOUNT ADMINISTRATION. (a) The commission shall administer the account and by rule establish guidelines for distributing money from the account in accordance with this subchapter.

(b) The commission shall distribute money from the account to the grant program until the commission determines that the grant program's purposes are satisfied statewide. Following that determination, the commission may distribute money from the account to a program described by Section 50.0153(d)(2), (3), or (4).

(c) The comptroller may audit money distributed under this section.

Added by Acts 2021, 87th Leg., R.S., Ch. 704 (H.B. 2633), Sec. 1, eff. September 1, 2021.

Sec. 50.0155. TRAFFICKED PERSONS GRANT PROGRAM. (a) The commission shall establish the trafficked persons grant program to provide grants to applicants for dedicated housing and treatment facilities provided to human trafficking victims.

(b) The commission by rule shall establish and publish on its Internet website eligibility criteria for grant

recipients. The commission must develop the criteria using research-based best practices and require the recipient to provide:

(1) immediate trauma support to a human trafficking victim on the victim's initial rescue or recovery from trafficking;

(2) wraparound services to facilitate a continuity of care for human trafficking victims placed in the recipient's facility as assisted by:

(A) the Child Sex Trafficking Prevention Unit established under Section [772.0062](#), Government Code; or

(B) the governor's program for victims of child sex trafficking established under Section [772.0063](#), Government Code; and

(3) safe and constitutionally secure shelter that considers the clear and present danger of organized crime to the children and youth housed in the facility.

(c) A grant applicant must provide to the commission plans that include:

(1) a process for obtaining the consent of a qualified guardian of a human trafficking victim for the applicant's services and treatment;

(2) a strategy for addressing the spectrum of needs for human trafficking victims, including victims whose history of trauma poses a risk to other residents of the shelter or facility;

(3) a statement on whether the shelter or facility will provide:

(A) acute or subacute services to address the immediate medical or treatment needs of the victims;

(B) short-term housing services following initial rescue or recovery of victims; and

(C) residential treatment services to meet long-term needs of victims; and

(4) a statement on whether the shelter or facility will provide separate housing space according to age, risk, and medical or mental health needs of victims.

(d) In determining whether to award a grant under this section, the commission shall prioritize applicants operating a shelter or facility that:

(1) satisfies the requirements under Chapter 42, Human Resources Code;

(2) provides dedicated housing or shelter space for the exclusive use of human trafficking victims; and

(3) has not adopted a policy that allows the facility to refuse for any reason to provide facility services to persons presented to the facility by any person involved in the recovery of human trafficking victims.

Added by Acts 2021, 87th Leg., R.S., Ch. 704 (H.B. 2633), Sec. 1, eff. September 1, 2021.

Sec. 50.0156. REQUIRED GRANT CONTRACT. Before awarding a grant under this subchapter, the commission shall enter into a written agreement with the recipient specifying that:

(1) if the commission finds that the recipient has not complied with the standards required by this subchapter and rules adopted under this subchapter:

(A) the recipient shall repay the grant or a prorated portion of the grant to this state at an agreed rate and on agreed terms; and

(B) the commission will not distribute to the recipient any grant money that remains to be distributed to the recipient;

(2) if, as of a date provided in the agreement, the recipient has not used grant money awarded under this section for the purposes for which the grant was intended, the recipient shall repay that amount to this state at an agreed rate and on agreed terms; and

(3) the recipient may not use grant money for administrative or overhead expenses.

Added by Acts 2021, 87th Leg., R.S., Ch. 704 (H.B. 2633), Sec. 1, eff. September 1, 2021.

Sec. 50.0157. COMMISSION PROVISION OF SERVICES. The commission may distribute money from the account to the commission for the purposes of providing services described by Section 50.0155 if the commission determines it has the resources and personnel

necessary to provide those services in accordance with this subchapter and rules adopted under this subchapter.

Added by Acts 2021, 87th Leg., R.S., Ch. 704 (H.B. [2633](#)), Sec. 1, eff. September 1, 2021.