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H.B. No. 4009

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a victim assistance program to
provide services to domestic victims of trafficking.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 531, Government Code, is amended by
adding Subchapter J-1 to read as follows:

SUBCHAPTER J-1. ASSISTANCE PROGRAM FOR DOMESTIC VICTIMS OF
TRAFFICKING

Sec. 531.381. DEFINITIONS. In this subchapter:

(1) "Domestic victim" means a victim of trafficking
who is a permanent legal resident or citizen of the United States.

(2) "Victim of trafficking" has the meaning assigned
by 22 U.S.C. Section 7102.

Sec. 531.382. VICTIM ASSISTANCE PROGRAM ESTABLISHED. The
commission shall develop and implement a program designed to assist
domestic victims, including victims who are children, in accessing
necessary services. The program must consist of at least the
following components:

(1) a searchable database of assistance programs for
domestic victims, including programs that provide mental health
services, other health services, services to meet victims' basic
needs, case management services, and any other services the
commission considers appropriate, that may be used to match victims
with appropriate resources;

1 (2) the grant program described by Section 531.383;

2 (3) recommended training programs for judges,
3 prosecutors, and law enforcement personnel; and

4 (4) an outreach initiative to ensure that victims,
5 judges, prosecutors, and law enforcement personnel are aware of the
6 availability of services through the program.

7 Sec. 531.383. GRANT PROGRAM. (a) Subject to available
8 funds, the commission shall establish a grant program to award
9 grants to public and nonprofit organizations that provide
10 assistance to domestic victims, including organizations that
11 provide public awareness activities, community outreach and
12 training, victim identification services, and legal services.

13 (b) To apply for a grant under this section, an applicant
14 must submit an application in the form and manner prescribed by the
15 commission. An applicant must describe in the application the
16 services the applicant intends to provide to domestic victims if
17 the grant is awarded.

18 (c) In awarding grants under this section, the commission
19 shall give preference to organizations that have experience in
20 successfully providing the types of services for which the grants
21 are awarded.

22 (d) A grant recipient shall provide reports as required by
23 the commission regarding the use of grant funds.

24 (e) Not later than December 1 of each even-numbered year,
25 the commission shall submit a report to the legislature summarizing
26 the activities, funding, and outcomes of programs awarded a grant
27 under this section and providing recommendations regarding the

1 grant program.

2 Sec. 531.384. TRAINING PROGRAMS. The commission, with
3 assistance from the Office of Court Administration of the Texas
4 Judicial System, the Department of Public Safety, and local law
5 enforcement agencies, shall create training programs designed to
6 increase the awareness of judges, prosecutors, and law enforcement
7 personnel of the needs of domestic victims, the availability of
8 services under this subchapter, the database of services described
9 by Section 531.382, and potential funding sources for those
10 services.

11 Sec. 531.385. FUNDING. (a) The commission may use
12 appropriated funds and may accept gifts, grants, and donations from
13 any sources for purposes of the victim assistance program
14 established under this subchapter.

15 (b) The commission shall conduct a study regarding
16 additional funding strategies for the victim assistance program.
17 In conducting the study, the commission, in cooperation with
18 appropriate governmental entities, shall identify appropriate
19 revenue streams, which may include revenue derived from:

20 (1) revenue streams similar to those used to fund
21 crime victims' compensation under Subchapter B, Chapter 56, Code of
22 Criminal Procedure;

23 (2) imposing additional court costs on defendants on
24 conviction of certain offenses;

25 (3) imposing additional fees on the filing of civil
26 cases;

27 (4) acquiring from law enforcement agencies the

1 proceeds from assets seized or forfeited under state or federal
2 law; and

3 (5) any other source identified by the commission.

4 (c) The commission shall submit a report regarding the
5 results of the study conducted under Subsection (b) to the 82nd
6 Legislature not later than December 1, 2010. The report must
7 include the commission's findings regarding appropriate revenue
8 streams for the victim assistance program, proposed legislation
9 necessary to receive the revenue for that purpose, and proposed
10 legislation regarding the establishment of a dedicated account to
11 which the revenue may be credited.

12 (d) This subsection and Subsections (b) and (c) expire
13 January 1, 2011.

14 SECTION 2. This Act takes effect September 1, 2009.