

# SENATE BILL 1017

P1

7lr3084

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By: **Senator Lee**

Introduced and read first time: February 3, 2017

Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 22, 2017

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~State Government – Human Trafficking Advisory Council – Establishment~~  
3 ~~Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking~~  
4 ~~– Sunset Extension~~

5 FOR the purpose of ~~establishing the Maryland Human Trafficking Advisory Council to~~  
6 ~~serve as a nongovernmental advisory body to certain bodies regarding human~~  
7 ~~trafficking in the State and outside the State; providing for the duties of the Council;~~  
8 ~~providing for the composition, chair, staffing, and terms of the membership on the~~  
9 ~~Council; requiring the Council to meet at certain times; requiring the Council to~~  
10 ~~submit a certain report on or before certain dates; prohibiting a member of the~~  
11 ~~Council from receiving certain compensation, but authorizing the reimbursement of~~  
12 ~~certain expenses; requiring the Governor to appoint the initial members of the~~  
13 ~~Council within a certain time period; providing for the termination of this Act; and~~  
14 ~~generally relating to the Human Trafficking Advisory Council extending the~~  
15 ~~termination date for the Workgroup to Study Safe Harbor Policy for Youth Victims~~  
16 ~~of Human Trafficking; requiring the Workgroup to submit certain supplemental~~  
17 ~~reports on or before certain dates; and generally relating to the Workgroup to Study~~  
18 ~~Safe Harbor Policy for Youth Victims of Human Trafficking.~~

19 ~~BY adding to~~

20 ~~Article – State Government~~

21 ~~Section 9 – 3213~~

22 ~~Annotated Code of Maryland~~

23 ~~(2014 Replacement Volume and 2016 Supplement)~~

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, with amendments,

2 Chapter 91 of the Acts of the General Assembly of 2015, as amended by Chapter 80  
 3 of the Acts of the General Assembly of 2016

4 Section 1 and 2

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
 6 That the Laws of Maryland read as follows:

7 ~~Article State Government~~

8 ~~9-3213.~~

9 ~~(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS~~  
 10 ~~INDICATED.~~

11 ~~(2) "COUNCIL" MEANS THE MARYLAND HUMAN TRAFFICKING~~  
 12 ~~ADVISORY COUNCIL.~~

13 ~~(3) "GOCCP" MEANS THE GOVERNOR'S OFFICE OF CRIME CONTROL~~  
 14 ~~AND PREVENTION.~~

15 ~~(4) "TASK FORCE" MEANS THE MARYLAND HUMAN TRAFFICKING~~  
 16 ~~TASK FORCE.~~

17 ~~(B) (1) THERE IS A MARYLAND HUMAN TRAFFICKING ADVISORY~~  
 18 ~~COUNCIL.~~

19 ~~(2) THE COUNCIL SHALL PROVIDE ADVICE AND RECOMMENDATIONS~~  
 20 ~~TO THE GOCCP, THE TASK FORCE, AND THE GENERAL ASSEMBLY.~~

21 ~~(C) (1) THE COUNCIL CONSISTS OF BETWEEN 8 AND 14 SURVIVORS OF~~  
 22 ~~HUMAN TRAFFICKING.~~

23 ~~(2) (i) TO THE EXTENT PRACTICABLE, MEMBERS APPOINTED TO~~  
 24 ~~THE COUNCIL SHALL HAVE DIRECT EXPERIENCE WITH ISSUES OF TRAFFICKING IN~~  
 25 ~~THE STATE EITHER THROUGH PERSONAL EXPERIENCE OR THROUGH WORKING~~  
 26 ~~WITH SURVIVORS IN THE STATE.~~

27 ~~(ii) MEMBERS APPOINTED TO THE COUNCIL SHALL REFLECT~~  
 28 ~~THE GEOGRAPHIC, RACIAL, ETHNIC, CULTURAL, AND GENDER DIVERSITY OF~~  
 29 ~~SURVIVORS OF TRAFFICKING IN THE STATE.~~

30 ~~(iii) MEMBERS OF THE COUNCIL SHALL INCLUDE:~~

31 ~~1. SURVIVORS OF SEX TRAFFICKING;~~

1                   ~~2. SURVIVORS OF LABOR TRAFFICKING;~~

2                   ~~3. SURVIVORS WHO WERE TRAFFICKED AS CHILDREN;~~

3 ~~AND~~

4                   ~~4. SURVIVORS WHO WERE TRAFFICKED AS ADULTS.~~

5                   ~~(3) THE CHAIR OF THE VICTIM SERVICES COMMITTEE OF THE TASK~~  
6 ~~FORCE, OR THE CHAIR'S DESIGNEE, SHALL CHAIR THE COUNCIL.~~

7                   ~~(D) COUNCIL MEMBERS SHALL SERVE FOR TERMS OF 2 YEARS AND MAY BE~~  
8 ~~REAPPOINTED BY THE GOVERNOR TO SERVE ADDITIONAL 2 YEAR TERMS.~~

9                   ~~(E) THE COUNCIL SHALL:~~

10                   ~~(1) SERVE AS A NONGOVERNMENTAL ADVISORY BODY TO THE~~  
11 ~~GOCCP, THE TASK FORCE, THE GENERAL ASSEMBLY, AND OTHER STATE, COUNTY,~~  
12 ~~OR LOCAL BODIES AS NEEDED;~~

13                   ~~(2) MEET AT LEAST ONCE ANNUALLY TO REVIEW STATE~~  
14 ~~GOVERNMENT POLICY AND PROGRAMS INTENDED TO COMBAT HUMAN~~  
15 ~~TRAFFICKING, INCLUDING PROGRAMS RELATED TO THE PROVISIONS OF SERVICES~~  
16 ~~FOR VICTIMS, AS WELL AS TO SERVE AS A POINT OF CONTACT FOR STATE AND LOCAL~~  
17 ~~AGENCIES REACHING OUT TO HUMAN TRAFFICKING EXPERTS FOR INPUT ON~~  
18 ~~PROGRAMMING AND POLICIES RELATING TO HUMAN TRAFFICKING IN THE STATE~~  
19 ~~AND OUTSIDE THE STATE;~~

20                   ~~(3) MEET NO LATER THAN 45 DAYS BEFORE THE LAST MEETING OF~~  
21 ~~THE YEAR OF THE TASK FORCE STEERING COMMITTEE TO PREPARE FORMAL~~  
22 ~~PRESENTATION OF COUNCIL RECOMMENDATIONS TO THE TASK FORCE;~~

23                   ~~(4) SERVE AS A RESOURCE TO STATE, COUNTY, AND LOCAL ENTITIES~~  
24 ~~FOR VETTING AND PROVIDING INSIGHT ON POLICY OR PROGRAMS RELATED TO~~  
25 ~~HUMAN TRAFFICKING; AND~~

26                   ~~(5) FORMULATE ASSESSMENTS AND RECOMMENDATIONS TO ENSURE~~  
27 ~~THAT STATE POLICY AND PROGRAMMING EFFORTS CONFORM, TO THE EXTENT~~  
28 ~~PRACTICABLE, TO BEST PRACTICES IN THE FIELD OF HUMAN TRAFFICKING~~  
29 ~~PREVENTION.~~

30                   ~~(F) ON OR BEFORE NOVEMBER 1, 2017, AND EVERY ODD NUMBERED YEAR~~  
31 ~~THEREAFTER, THE COUNCIL SHALL SUBMIT A REPORT THAT CONTAINS THE~~  
32 ~~FINDINGS DERIVED FROM ANY REVIEWS CONDUCTED UNDER SUBSECTION (E) OF~~

1 ~~THIS SECTION TO THE GOCCP, THE CHAIR OF THE TASK FORCE, AND, IN~~  
 2 ~~ACCORDANCE WITH § 2-1246 OF THE THIS ARTICLE, THE GENERAL ASSEMBLY.~~

3 ~~(G) A MEMBER OF THE COUNCIL:~~

4 ~~(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE~~  
 5 ~~COUNCIL; BUT~~

6 ~~(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE~~  
 7 ~~STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.~~

8 ~~(H) (1) THE CHILD SEX TRAFFICKING VICTIMS INITIATIVE AT THE~~  
 9 ~~UNIVERSITY OF MARYLAND SCHOOL OF SOCIAL WORK SHALL PROVIDE STAFF~~  
 10 ~~SUPPORT FOR THE COUNCIL.~~

11 ~~(2) THE CHILD SEX TRAFFICKING VICTIMS INITIATIVE MAY~~  
 12 ~~REQUEST STAFFING ASSISTANCE FROM THE GOCCP.~~

13 ~~SECTION 2. AND BE IT FURTHER ENACTED, That, on or before 180 days after~~  
 14 ~~the enactment of this Act, the Governor shall appoint the initial members of the Council.~~

15 ~~SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June~~  
 16 ~~1, 2017. It shall remain effective for a period of 6 years and 1 month and, at the end of June~~  
 17 ~~30, 2023, with no further action required by the General Assembly, this Act shall be~~  
 18 ~~abrogated and of no further force and effect.~~

19 Chapter 91 of the Acts of 2015, as amended by Chapter 80 of the Acts of 2016

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
 21 That:

22 (a) There is a Workgroup to Study Safe Harbor Policy for Youth Victims of Human  
 23 Trafficking.

24 (b) The purpose of the Workgroup is to study:

25 (1) legal protections for youth victims of human trafficking; and

26 (2) the provision of services for youth victims of human trafficking.

27 (c) The Workgroup consists of the following members:

28 (1) one member of the Senate of Maryland, appointed by the President of  
 29 the Senate;

- 1                   (2)    one member of the House of Delegates, appointed by the Speaker of the  
2 House;
- 3                   (3)    the Secretary of Human Resources, or the Secretary's designee;
- 4                   (4)    the Secretary of Juvenile Services, or the Secretary's designee;
- 5                   (5)    the Secretary of Health and Mental Hygiene, or the Secretary's  
6 designee;
- 7                   (6)    the State Superintendent of Schools, or the Superintendent's designee;
- 8                   (7)    the Secretary of State Police, or the Secretary's designee;
- 9                   (8)    the Secretary of State, or the Secretary's designee;
- 10                  (9)    one representative from the Office of the Public Defender, Juvenile  
11 Division, appointed by the Public Defender; and
- 12                  (10) the following members, appointed by the Governor:
- 13                   (i)    one representative of the Maryland Coalition Against Sexual  
14 Assault;
- 15                   (ii)   one representative of the Governor's Office for Children;
- 16                   (iii) one representative of the Governor's Office of Crime Control and  
17 Prevention;
- 18                   (iv)   one representative of the Maryland State's Attorneys'  
19 Association;
- 20                   (v)    one representative of a local law enforcement agency;
- 21                   (vi)   one representative of the National Center for Missing and  
22 Exploited Children;
- 23                   (vii) one representative of Turnaround, Inc.;
- 24                   (viii) one educator who works in a student service capacity and who is  
25 nominated by the Maryland State Education Association;
- 26                   (ix)   two representatives of the Maryland Human Trafficking Task  
27 Force;
- 28                   (x)    two representatives of national organizations that support  
29 victims of human trafficking; and

1                   (xi) two survivors of human trafficking.

2           (d) The Governor shall designate the chair of the Workgroup.

3           (e) The Governor's Office of Crime Control and Prevention shall provide staff for  
4 the Workgroup.

5           (f) A member of the Workgroup:

6                   (1) may not receive compensation as a member of the Workgroup; but

7                   (2) is entitled to reimbursement for expenses under the Standard State  
8 Travel Regulations, as provided in the State budget.

9           (g) The Workgroup shall:

10                   (1) compile existing information on and identify the needs of youth victims  
11 of human trafficking and identify the public and private sector programs and resources  
12 currently available to meet those needs;

13                   (2) identify gaps in public and private sector programs and resources  
14 currently available to meet the needs of youth victims of human trafficking;

15                   (3) collect and compile data on the number of youth victims of human  
16 trafficking in the State, including the number of youth victims in each jurisdiction of the  
17 State;

18                   (4) evaluate current State safe harbor policies and legal protections for  
19 youth victims of human trafficking; and

20                   (5) make recommendations regarding:

21                           (i) legislation and policy initiatives to address the provision of  
22 services and legal protections for youth victims of human trafficking in the State;

23                           (ii) the collection of data to identify youth victims of human  
24 trafficking in the State;

25                           (iii) funding requirements and budgetary priorities to address the  
26 needs of youth victims of human trafficking in the State; and

27                           (iv) any other relevant issues or considerations identified by the  
28 Workgroup.

1 (h) (1) On or before December 1, 2015, the Workgroup shall report its findings  
2 and recommendations to the Governor and, in accordance with § 2-1246 of the State  
3 Government Article, the General Assembly.

4 (2) On or before December 1, 2016, the Workgroup shall submit a  
5 supplemental report on its findings and recommendations to the Governor and, in  
6 accordance with § 2-1246 of the State Government Article, the General Assembly.

7 (3) **ON OR BEFORE DECEMBER 1, 2017, THE WORKGROUP SHALL**  
8 **SUBMIT A SUPPLEMENTAL REPORT ON ITS FINDINGS AND RECOMMENDATIONS TO**  
9 **THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT**  
10 **ARTICLE, THE GENERAL ASSEMBLY.**

11 (4) **ON OR BEFORE DECEMBER 1, 2018, THE WORKGROUP SHALL**  
12 **SUBMIT A SUPPLEMENTAL REPORT ON ITS FINDINGS AND RECOMMENDATIONS TO**  
13 **THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT**  
14 **ARTICLE, THE GENERAL ASSEMBLY.**

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
16 1, 2015. It shall remain effective for a period of [2 years] 4 YEARS and 1 month and, at the  
17 end of June 30, [2017] 2019, with no further action required by the General Assembly, this  
18 Act shall be abrogated and of no further force and effect.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
20 1, 2017.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.