

HCS HBs 1706 & 1539 -- PROTECTION OF CHILDREN AND VULNERABLE PERSONS (Myers)

COMMITTEE OF ORIGIN: Standing Committee on Crime Prevention and Public Safety

This bill establishes the "Committee on Sex and Human Trafficking Training", which will be composed of eight members, including, among others, a representative of the Attorney General's Office, a representative of the Department of Public Safety, and a juvenile officer. The committee must annually evaluate and establish guidelines for required sex and human trafficking training. The committee will dissolve on December 31, 2029.

The bill also establishes the "Statewide Council Against Adult Trafficking and Commercial Sexual Exploitation of Children" to replace the "Statewide Council on Sex Trafficking and Sexual Exploitation of Children", which expired on December 31, 2023. The new council must be created within 30 days of August 28, 2024, is required to meet at least quarterly, and is within the Office of the Attorney General. The Attorney General or his or her designee will be the chair of the council. The members of the council are specified and include two members of the Senate appointed by the President Pro Tem rather than one being appointed by the Minority Floor Leader of the Senate, and the two members of the House of Representatives appointed by the Speaker rather than one being appointed by the Minority Floor Leader of the House of Representatives.

The bill creates the "Anti-Trafficking Fund". Money in the Fund will be used solely to pay for the position of the executive director of the statewide council, education and awareness regarding human trafficking, and anti-trafficking efforts throughout the State.

The Department of Health and Senior Services will require each EMT, including each paramedic, to receive four hours of sex and human trafficking training as part of continuing education requirements for relicensure every five years. Each registered nurse, licensed practical nurse, advanced practice registered nurse, county prosecuting attorney, and juvenile officer must complete one hour of sex and human trafficking training annually. Social workers will be required to complete two hours of sex and human trafficking training for license renewal. Lastly, each peace officer will be required to receive two hours of sex and human trafficking training within the law enforcement continuing education one-year reporting period.

Currently, under certain circumstances, a statement made by a child under the age of 14 or by a vulnerable person, or the visual and aural recording of a verbal or nonverbal statement of such child or vulnerable person, is admissible into evidence in criminal proceedings as substantive evidence to prove the truth of the matter asserted. This bill increases the age to a child under the age of 18 and it amends the definition of "vulnerable person" to include a person whose developmental level does not exceed that of an ordinary child of 17 years of age.

Currently, a person 21 years old or older commits the offense of enticement of a child if he or she satisfies the elements of the offense and the child is under 15 years old. This bill increases the age of the child to under 17 years old.

The bill also provides that a person who pled guilty to or was found guilty of certain sexual offenses, specified in the bill, will be required to pay \$10,000 in restitution per identified victim and \$2,500 for each county in which the offense or offenses occurred, payable to the State to be deposited into the Human Trafficking and Sexual Exploitation Fund. Upon receipt of money from the Fund, a county must allocate disbursement of the funds according to the requirements in the bill.