

HB 224 -- PROTECTION OF VULNERABLE PERSONS

SPONSOR: Myers

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, 2030.

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, 2025, 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 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, and 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, any law enforcement agency may provide for the security of witnesses and others in criminal proceedings or investigations. This bill allows any prosecuting attorney's office to provide such security as well. The Department of Public Safety may authorize funds to be disbursed to prosecuting attorneys' offices for such offices to be able to provide security.

The bill creates a 20-year statute of limitation for prosecution of certain sex and labor trafficking offenses, described in the bill.

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 creates the offense of patronizing a victim of sexual servitude, which a person commits if he or she knowingly gives, agrees to give, or offers to give anything of value so that an individual may engage in a commercial sex act with another individual and the person knows that the other individual is a victim of sexual servitude. If the victim of the offense is 18 years of age or older, the offense is a felony punishable by imprisonment for a term of three to 20 years and a fine of up to \$250,000. If the victim of the offense is under 18 years old, the offense is a felony punishable by life imprisonment without eligibility for probation or parole until the offender has served at least 25 years of the sentence.

The bill also specifies that a person who pleaded 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", which is created in this bill. Upon receipt of money from the Fund, a county must allocate disbursement of the funds according to the requirements in the bill.

Currently, a person who was convicted of the offense of prostitution who was under the age of 18 at the time of the offense can apply to the appropriate court to have his or her record expunged. This bill repeals the requirement that the person be under the age of 18 at the time of the offense.

This bill is similar to SCS HB 1706 (2024).