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HOUSE BILL NO. 2923

Offered January 10, 2007

Prefiled January 10, 2007

A BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 42, consisting of sections numbered 30-278 through 30-283, relating to the Commission on the Prevention of Human Trafficking.

Patrons—Ebbin, Abbitt, Albo, Amundson, BaCote, Brink, Callahan, Caputo, Englin, Hall, Hull, Iaquinto, Johnson, Kilgore, Lingamfelter, Marsden, McEachin, Miller, J.H., Moran, O'Bannon, Plum, Poisson, Rust, Scott, J.M., Sickles, Spruill, Suit, Tyler, Valentine, Ward and Wardrup

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 30 a chapter numbered 42, consisting of sections numbered 30-278 through 30-283, as follows:

CHAPTER 42.**COMMISSION ON THE PREVENTION OF HUMAN TRAFFICKING.**

§ 30-278. *The Commission on the Prevention of Human Trafficking; purpose.*

The Commission on the Prevention of Human Trafficking (the Commission) is established as a study commission in the legislative branch of state government for the purpose of developing and implementing a State Plan for the Prevention of Human Trafficking.

§ 30-279. *Membership; terms; quorum; meetings.*

The Commission shall have a total membership of 25 members that shall consist of six legislative members, eight nonlegislative citizen members, and 11 ex officio members. Members shall be appointed as follows: four members of the House of Delegates, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; two members of the Senate, to be appointed by the Senate Committee on Rules; three nonlegislative citizen members of whom one shall be a representative of the Virginia Association of Chiefs of Police, one a representative of the Virginia Association of Commonwealth's Attorneys, and one a representative of a nongovernmental organization that represents communities disproportionately affected by human trafficking, to be appointed by the Speaker of the House of Delegates; three nonlegislative citizen members, of whom one shall be a representative of the Virginia Sheriffs' Association, one an academician at a public institution of higher education in the Commonwealth with expertise in the area of human trafficking prevention, penalties for criminal and civil violations, and sanctions to deter human trafficking, and one a representative of a nongovernmental organization that represents children and runaways to be appointed by the Senate Committee on Rules; two nonlegislative citizen members, of whom one shall be a representative of a national organization that monitors issues related to human trafficking and one a representative of an organization in Virginia that provides services to victims of violence and human trafficking, to be appointed by the Governor, subject to confirmation by the General Assembly. The Attorney General of Virginia, the Secretary of Public Safety, the Commissioner of Labor and Industry, the Commissioner of Health, the Commissioner of Social Services, and the Superintendent of State Police or their designees shall serve ex officio with nonvoting privileges. In addition, the Commission shall request the participation of the United States Department of State, United States Department of Justice, United States Department of Health and Human Services, United States Department of Labor, and United States Department of Homeland Security in all of its deliberations on human trafficking. Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth.

Legislative members and ex officio members of the Commission shall serve terms coincident with their terms of office.

Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments. All members may be reappointed.

No House member shall serve more than four consecutive two-year terms, no Senate member shall serve more than two consecutive four-year terms, no nonlegislative citizen member appointed by the Speaker of the House of Delegates or the Senate Committee on Rules shall serve more than four consecutive two-year terms, and no nonlegislative member appointed by the Governor shall serve more than two consecutive four-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.

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HB2923

57 *The Commission shall elect a chairman and vice-chairman from among its membership, who shall be*
58 *members of the General Assembly. A majority of the members shall constitute a quorum. The*
59 *Commission shall meet no more than four times each year. The meetings of the Commission shall be*
60 *held at the call of the chairman or whenever the majority of the members so request.*

61 § 30-280. Compensation; expenses.

62 *Legislative members of the Commission shall receive such compensation as provided in § 30-19.12,*
63 *and nonlegislative citizen members shall receive such compensation for the performance of their duties*
64 *as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses*
65 *incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the*
66 *costs of compensation and expenses of the members shall be provided by the Commission on the*
67 *Prevention of Human Trafficking from such funds as may be appropriated therefor.*

68 § 30-281. Powers and duties of the Commission.

69 1. *Address all aspects of human trafficking, including the recruitment, abduction, transport,*
70 *harboring, transfer, sale, or receipt of persons, whether United States citizens or foreign nationals,*
71 *within and across state borders by any conveyance for the purpose of enslaving persons or subjecting*
72 *them to slavery-like conditions.*

73 2. *Develop and coordinate the implementation of a State Plan for the Prevention of Human*
74 *Trafficking throughout the Commonwealth.*

75 3. *Work with state, local, and federal agencies and through other existing mechanisms to (i) enhance*
76 *the collection and sharing of data among government agencies pertaining to human trafficking, (ii)*
77 *identify individuals and organizations engaged in human trafficking, and (iii) ensure that such data*
78 *collection facilitates the confidentiality of information and protects the privacy of victims of human*
79 *trafficking.*

80 4. *Recommend policies that will facilitate effective and efficient collaborations between relevant state*
81 *agencies, the community, business and industry, and public and private entities to prevent human*
82 *trafficking and provide assistance to victims who are United States citizens or foreign nationals.*

83 5. *Review the existing services and facilities available to meet the needs of victims of human*
84 *trafficking and recommend ways in which services may be better coordinated, including but not limited*
85 *to health, mental health, interpretation, legal and immigration, housing, and education and job training*
86 *services and victim compensation.*

87 6. *Evaluate various approaches used by state and local governments to provide public awareness of*
88 *the problem of human trafficking and make recommendations regarding ways to heighten public*
89 *awareness regarding the problem and its social and economic impact in the Commonwealth.*

90 7. *Enlist the cooperation and assistance of state, local, and federal agencies, community*
91 *organizations, business and industry, the education community, and public and private entities,*
92 *particularly those that represent diverse communities disproportionately affected by human trafficking,*
93 *monitor human trafficking issues, enforce prevention and violation initiatives, academicians with*
94 *expertise in the field, or provide services to victims, children and runaways, and victims of violence.*

95 8. *Submit to the Governor and the General Assembly an annual report for publication as a report*
96 *document as provided in the procedures of the Division of Legislative Automated Systems for the*
97 *processing of legislative documents and reports. The chairman shall submit to the Governor and the*
98 *General Assembly an annual executive summary of the interim activity and work of the Commission no*
99 *later than the first day of each regular session of the General Assembly. The executive summary shall*
100 *be submitted for publication as a report document as provided in the procedures of the Division of*
101 *Legislative Automated Systems for the processing of legislative documents and reports and shall be*
102 *posted on the General Assembly's website.*

103 § 30-282. Staffing.

104 *The Division of Legislative Services shall provide staff support to the Commission. All agencies of*
105 *the Commonwealth shall provide assistance to the Commission, upon request.*

106 § 30-283. Sunset.

107 *This chapter shall expire on July 1, 2010.*