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HOUSE BILL NO. 1006

Offered January 8, 2020
Prefiled January 7, 2020

A BILL to amend and reenact § 63.2-1506.1 of the Code of Virginia, relating to human trafficking assessments by local departments.

Patrons—Herring and Ayala

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That § 63.2-1506.1 of the Code of Virginia is amended and reenacted as follows:

§ 63.2-1506.1. Human trafficking assessments by local departments.

A. If a report or complaint is based upon information and allegations that a child is a victim of sex trafficking or severe forms of trafficking as defined in the federal Trafficking Victims Protection Act of 2000 (22 U.S.C. § 7102 et seq.) and in the federal Justice for Victims of Trafficking Act of 2015 (P.L. 114-22), the local department shall conduct a ~~sex~~ *human* trafficking assessment, unless at any time during the ~~sex~~ *human* trafficking assessment the local department determines that an investigation or family assessment is required pursuant to § 63.2-1505 or 63.2-1506.

B. A ~~sex~~ *human* trafficking assessment requires the collection of information necessary to determine:

1. The immediate safety needs of the child;

2. The protective and rehabilitative services needs of the child and the child's family that will deter abuse and neglect; and

3. Risk of future harm to the child.

C. When a local department responds to the report or complaint by conducting a ~~sex~~ *human* trafficking assessment, the local department may:

1. Consult with the family to arrange for necessary protective and rehabilitative services to be provided to the child and the child's family;

2. Petition the court for services deemed necessary; or

3. Commence an immediate investigation or family assessment, if at any time during the ~~sex~~ *human* trafficking assessment the local department determines that an investigation or family assessment is required pursuant to § 63.2-1505 or 63.2-1506.

D. In the event that the parents or guardians of the child reside in a jurisdiction other than that in which the report or complaint was received, the local department that received the report or complaint and the local department where the child resides with his parents or guardians shall work jointly to complete the ~~sex~~ *human* trafficking assessment.

E. Reports or complaints for which a ~~sex~~ *human* trafficking assessment is completed shall not be entered into the central registry contained in § 63.2-1515.

F. The local department or departments shall notify the Child Protective Services Unit within the Department in writing whenever such a ~~sex~~ *human* trafficking assessment is conducted.

G. When conducting a human trafficking assessment pursuant to this section, the local department may interview the alleged child victim or his siblings without the consent and outside the presence of such child's or siblings' parent, guardian, legal custodian, or other person standing in loco parentis, or school personnel.