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SENATE BILL NO. 322

Offered January 8, 2014

Prefiled January 6, 2014

A *BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 55, consisting of sections numbered 30-348 through 30-354, relating to the Commission on the Prevention of Human Trafficking; study; report.*

Patrons—Ebbin; Delegate: Simon

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 55, consisting of sections numbered 30-348 through 30-354, as follows:

CHAPTER 55.**COMMISSION ON THE PREVENTION OF HUMAN TRAFFICKING.****§ 30-348. The Commission on the Prevention of Human Trafficking; purpose.**

The Commission on the Prevention of Human Trafficking (the Commission) is established in the legislative branch of state government. The purpose of the Commission is to develop and implement a State Plan for the Prevention of Human Trafficking.

§ 30-349. Membership; terms; quorum; meetings.

The Commission shall have a total membership of 23 members that shall consist of 12 legislative members, five nonlegislative citizen members, and six ex officio members. Members shall be appointed as follows: five members of the Senate, to be appointed by the Senate Committee on Rules; seven 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 nonlegislative citizen members to be appointed by the Senate Committee on Rules upon consideration of the recommendations of the Virginia Sheriffs' Association and an organization in Virginia that provides services to victims of violence and human trafficking, if any; and three nonlegislative citizen members to be appointed by the Speaker of the House of Delegates upon recommendations of the Virginia Association of Chiefs of Police, the Virginia Association of Commonwealth's Attorneys, and a national organization that monitors issues related to human trafficking, if any. 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 to serve ex officio with nonvoting privileges. Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth. Unless otherwise approved in writing by the chairman of the Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth for the purpose of attending meetings.

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. Nonlegislative citizen members shall be appointed for a term of two years. The Commission shall elect a chairman and vice-chairman from among its membership, who shall be members of the General Assembly.

§ 30-350. Quorum; meetings; voting on recommendations.

A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.

No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.

§ 30-351. Compensation; expenses.

Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. However, all such compensation and expenses shall be paid from existing appropriations to the Commission, or, if unfunded, shall be approved by the Joint Rules Committee.

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§ 30-352. Powers and duties of the Commission.

The Commission shall have the following powers and duties:

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

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

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

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

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

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

7. Enlist the cooperation and assistance of academicians with expertise in the field of human trafficking.

8. Enlist the cooperation and assistance of state, local, and federal agencies, community organizations, business and industry, the education community, and public and private entities, that monitor human trafficking issues, enforce prevention and violation initiatives, or provide services to victims, children and runaways, and victims of violence.

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

§ 30-353. Staffing.

Administrative staff support shall be provided by the Office of the Clerk of the Senate or the Office of the Clerk of the House of Delegates as may be appropriate for the house in which the chairman of the Commission serves. The Division of Legislative Services shall provide legal, research, policy analysis, and other services as requested by the Commission.

§ 30-354. Sunset.

This chapter shall expire on July 1, 2016.

2. That, for its first year of existence, if the Commission is not funded by a separate appropriation in the appropriation act, the Commission may be funded from the operating budgets of the Clerk of the Senate and the Clerk of the House of Delegates upon the approval of the Joint Rules Committee. If the Commission is not funded by a separate appropriation in the appropriation act for any year thereafter, this chapter shall expire on July 1 of the fiscal year that the Commission fails to receive such funding.