

JAN 23 2015

A BILL FOR AN ACT

RELATING TO A SEX TRAFFICKING SPECIAL TREATMENT FACILITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 346, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§346- Sex trafficking special treatment facility. (a)

5 The department may contract with an established victim service
6 provider to operate and manage a sex trafficking special
7 treatment facility for sex trafficking victims who are minors.

8 The selection of a victim service provider shall not be subject
9 to chapters 42F, 102, 103D, or 103F.

10 (b) A sex trafficking special treatment facility
11 established and operated pursuant to this section shall have a
12 current and valid license issued and approved by the department
13 of health to operate as a special treatment facility.

14 (c) To the extent that appropriations are made available,
15 a victim service provider shall provide housing and appropriate
16 services to eligible sex trafficking victims who are minors



1 after those minors are granted admittance to the sex trafficking
2 special treatment facility.

3 (d) The victim service provider operating and managing a
4 sex trafficking special treatment facility, in consultation with
5 the department and family court, shall be responsible for
6 determining:

- 7 (1) If a sex trafficking victim who is a minor is eligible
8 for residence at the facility, including the degree of
9 need and course of treatment for each victim; and
10 (2) Whether a participant is no longer eligible for
11 residence at the facility.

12 (e) Any person who enters or remains in or upon the
13 premises of any sex trafficking special treatment facility
14 authorized by this section, after being requested to leave by
15 the victim service provider, the department or its designee, or
16 a police officer, shall be guilty of a misdemeanor; provided
17 that the offense in this subsection shall be in addition to any
18 other applicable offense in the Hawaii Penal Code.

19 (f) Any compensation received by a victim service provider
20 pursuant to this section for services rendered to sex
21 trafficking victims who are minors or for operating or managing



1 a sex trafficking special treatment facility shall be exempt
2 from taxation under chapter 237.

3 (g) Any county mayor, by executive order, may exempt from
4 real property taxes, water and sewer development fees, rates
5 collected for water supplied to consumers and for use of sewers,
6 and any other county taxes, charges, or fees, a victim service
7 provider operating and managing a sex trafficking special
8 treatment facility pursuant to this section; provided that any
9 county may enact ordinances to regulate the exemptions granted
10 by this section.

11 (h) Any victim service provider operating or managing a
12 sex trafficking special treatment facility pursuant to this
13 section shall be exempt from any requirements contained in part
14 VIII of chapter 346 and chapters 467B and 521.

15 (i) The department shall require any victim service
16 provider contracted pursuant to this section to submit to the
17 department a financial report each year that the contract is in
18 effect. The report shall contain information specific to the
19 funds received under sex trafficking special treatment facility
20 contracts and include recommendations about improving services
21 for sex trafficking victims who are minors. Failure to provide



1 a financial report shall be grounds for the department to
2 terminate a contract with a victim service provider for
3 operating or managing a sex trafficking special treatment
4 facility authorized by this section.

5 (j) This section shall not prohibit the department from
6 establishing additional programs for sex trafficking victims who
7 are minors.

8 (k) As used in this section:

9 "Sex trafficking victim who is a minor" means a person
10 under the age of eighteen who is found to be:

11 (1) Engaging in prostitution pursuant to section 712-
12 1200(1)(a);

13 (2) A victim of promoting prostitution in the first degree
14 pursuant to section 712-1202(b); or

15 (3) A victim of the crime of sex trafficking of children
16 under title 18 United States Code section 1591.

17 "Sex trafficking special treatment facility" means a
18 facility that provides a therapeutic residential program for
19 care, diagnosis, treatment, or rehabilitation services for sex
20 trafficking victims who are minors.



1 "Victim service provider" means any non-governmental
 2 organization that provides social services to sex trafficking
 3 victims who are minors including, but not limited to, housing,
 4 rehabilitation, education, vocational, medical, mental-health,
 5 and substance-abuse treatment programs."

6 SECTION 2. Chapter 237, Hawaii Revised Statutes, is
 7 amended by adding a new section to be appropriately designated
 8 and to read as follows:

9 "§237- Exemption of sex trafficking special treatment
 10 facilities. There shall be exempted from and excluded from the
 11 measure of the taxes imposed by this chapter all of the
 12 compensation received by a victim service provider for services
 13 rendered to sex trafficking victims who are minors, pursuant to
 14 section 346- ."

15 SECTION 3. There is appropriated out of the general
 16 revenues of the State of Hawaii the sum of \$ or so
 17 much thereof as may be necessary for fiscal year 2015-2016 and
 18 the same sum or so much thereof as may be necessary for fiscal
 19 year 2016-2017 for the department of human services to carry out
 20 the requirements of this Act.



1 The sums appropriated shall be expended by the department
2 of human services for the purposes of this Act.

3 SECTION 4. New statutory material is underscored.

4 SECTION 5. This Act shall take effect upon its approval.

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S.B. NO. 917

Report Title:

Sex Trafficking; Victims; Minors; Treatment Services

Description:

Allows DHS to contract with a service provider to operate and manage a sex trafficking special treatment facility. Provides for tax and fee exemptions. Makes an appropriation.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

