

Stricken language would be deleted from and underlined language would be added to present law.
Act 1138 of the Regular Session

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: S3/19/15 S3/26/15

A Bill

SENATE BILL 1012

By: Senator Irvin

For An Act To Be Entitled

AN ACT TO IMPLEMENT THE FINDINGS OF THE ATTORNEY GENERAL'S TASK
FORCE ON HUMAN TRAFFICKING; AND FOR OTHER PURPOSES.

Subtitle

TO IMPLEMENT THE FINDINGS OF THE ATTORNEY
GENERAL'S TASK FORCE ON HUMAN TRAFFICKING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 9-28-402(7), concerning the definition of "child placement agency" for the Child Welfare Agency Licensing Act, is amended to read as follows:

(7) "Child placement agency" means a child welfare agency, not including any person licensed to practice medicine or law in the State of Arkansas, that engages in any of the following activities:

(A) Places a child in a foster home, adoptive home, or any type of facility licensed or exempted by this subchapter;

(B) Plans for the placement of a child into a foster home, adoptive home, or any type of facility licensed or exempted by this subchapter; ~~or~~

(C) Assists the placement of a child in a foster home, adoptive home, or any type of facility licensed or exempted by this subchapter; or

(D) Places, plans for the placement or assists in the placement of a child victim of human trafficking in a home or any type of shelter or facility;

SECTION 2. Arkansas Code § 9-28-402(8), concerning the definition of "child welfare agency" for the Child Welfare Agency Licensing Act, is amended to read as follows:

(8) "Child welfare agency" means any person, corporation, partnership, voluntary association, or other entity or identifiable group of entities having a coordinated ownership of controlling interest, whether established for profit or otherwise, that engages in any of the following activities:

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(A) *Receives a total number of six (6) or more unrelated minors for care on a twenty-four-hour basis for the purpose of ensuring the minors receive care, training, education, custody, or supervision, whether or not there are six (6) or more children cared for at any single physical location;*

(B) *Places any unrelated minor for care on a twenty-four-hour basis with persons other than themselves; ~~or~~*

(C) *Plans for or assists in the placements described in subdivision (8)(B) of this section; or*

(D) Receives, places, plans or assists in the placement of a child victim of human trafficking in a home or any type of shelter or facility;

SECTION 3. Arkansas Code Title 12, Chapter 19, Subchapter 1, is amended to add a new section to read as follows:

12-19-104. Law enforcement agency nonimmigrant visa certification.

(a) Each law enforcement agency shall adopt a policy for the completion and signing of T and U nonimmigrant visa certification forms for human trafficking victims.

(b) The policy adopted under subsection (a) of this section shall include a requirement that a law enforcement official shall complete the certification no later than thirty (30) days after receipt of the request for certification.

SECTION 4. Arkansas Code Title 16, Chapter 92, Subchapter 1, is amended to add an additional section to read as follows:

16-92-119. Training regarding fines dedicated for the Safe Harbor Fund for Sexually Exploited Children.

(a) The Administrative Office of the Courts shall educate judges regarding the fines dedicated for the Safe Harbor Fund for Sexually Exploited Children under §§ 5-18-103(d), 5-70-102(d), and 5-70-103(d).

(b) The Prosecutor Coordinator's office shall educate prosecutors regarding the fines dedicated for the fund under §§ 5-18-103(d), 5-70-102(d), and 5-70-103(d).

(c) The Arkansas Circuit Clerks Association and the Arkansas District Court Clerks Association shall educate circuit and district court clerks regarding the fines dedicated for the fund under §§ 5-18-103(d), 5-70-102(d), and 5-70-103(d).

SECTION 5. Arkansas Code § 20-82-201(a) and (b), concerning the creation and membership of the Arkansas Child Abuse/Rape/Domestic Violence Commission, are amended to read as follows:

(a) ~~There is hereby~~ *created the Arkansas Child Abuse/Rape/Domestic Violence Commission, to be composed of ~~twenty-five (25)~~ thirty (30) persons appointed by the Governor for two-year staggered terms and until the successor is appointed and qualified.*

(b) *The membership of the commission shall consist of the following:*

(1) *A representative of domestic violence programs or domestic violence service providers in*

Arkansas;

- (2) A representative of the Department of Arkansas State Police;
- (3) A physician specializing in the treatment of child abuse;
- (4) A prosecuting attorney who is a member of the Arkansas Prosecuting Attorneys Association;
- (5) A defense attorney;
- (6) A representative of a victim-witness program;
- (7) A representative of the Arkansas Law Enforcement Training Academy;
- (8) A representative of education;
- (9) A representative of the Division of Children and Family Services of the Department of Human

Services;

- (10) A representative of a parents' group;
- (11) A mental health professional specializing in the treatment of child abuse or domestic

violence or rape;

- (12) A representative of the Department of Correction Reduction of Sexual Victimization

Program;

- (13) A representative of city or county law enforcement;
- (14) A representative of children with disabilities;
- (15) A district judge or circuit judge;
- (16) A chancery judge;
- (17) A representative of the State Crime Laboratory;
- (18) A representative of the Department of Health;
- (19) A representative of rape crisis centers;
- (20) A representative of the Arkansas Hospital Association;
- (21) A representative of the office of the Attorney General;
- (22) Three (3) members at large;
- (23) A court-appointed special advocate representative;
- (24) A guardian ad litem; ~~and~~
- (25) A representative of area health education center programs;
- (26) A faculty member from a four-year college or university with experience in the study of human trafficking or a closely related area of study;
- (27) A representative from the Department of Labor; and
- (28) A healthcare provider experienced in the treatment of human trafficking victims.

SECTION 6. Arkansas Code § 20-82-206, concerning the powers and duties of the Child Abuse/Rape/Domestic Violence Section, is amended to add an additional subdivision to read as follows:

- (13) Facilitate and collaborate with professionals regarding human trafficking.

SECTION 7. Arkansas Code § 20-82-209(b)(1)(A), concerning multidisciplinary teams of the Arkansas Child Abuse/Rape/Domestic Violence Commission, is amended to read as follows:

(1)(A) Prepare and issue a statewide model protocol for local multidisciplinary teams regarding investigations of child abuse and the provision of safety and services to victims of child abuse, which may include child victims of human trafficking.

/s/Irvin

APPROVED: 04/06/2015

