

## **Part III**

COURTS, JUDICIAL OFFICERS AND PROCEEDINGS IN CIVIL  
CASES

## **Title IV**

CERTAIN WRITS AND PROCEEDINGS IN SPECIAL CASES

## **Chapter 258F**

CERTIFICATION FOR VICTIMS OF VIOLENT CRIME AND HUMAN  
TRAFFICKING

## **Section 1**

1. DEFINITIONS

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*[ Text of section added by 2021, 24, Sec. 65 effective July 1, 2021. See 2021, 24, Sec. 149.]*

Section 1. As used in this chapter, the following words shall, unless the context clearly requires otherwise, have the following meanings:

"Certifying entity", a law enforcement agency, prosecutor or other state or local entity that has the authority to detect, investigate or prosecute severe forms of trafficking in persons or criminal activity.

"Criminal activity", as described in 8 U.S.C. 1101(a)(15)(U)(iii).

"Severe forms of trafficking in persons", as defined in 22 U.S.C. 7102.

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## **Section 2**

COMPLETING AND SIGNING NONIMMIGRANT STATUS  
CERTIFICATION FORMS

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*[ Text of section added by 2021, 24, Sec. 65 effective July 1, 2021. See 2021, 24, Sec. 149.]*

Section 2. A certifying entity shall adopt a policy for completing and signing nonimmigrant status certification forms for: (i) victims of criminal activity who intend to petition for nonimmigrant visas under 8 U.S.C. 1101(a)(15)(U); and (ii) victims of severe forms of trafficking in persons who intend to petition for nonimmigrant visas under 8 U.S.C. 1101(a)(15)(T).

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## **Section 3**

CERTIFYING ENTITY'S RESPONSE TO CERTIFICATION REQUEST

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*[ Text of section added by 2021, 24, Sec. 65 effective July 1, 2021. See 2021, 24, Sec. 149.]*

Section 3. A certifying entity shall respond to a nonimmigrant status certification request from a victim of criminal activity who intends to petition for a nonimmigrant visa under 8 U.S.C. 1101(a)(15)(U) or from a victim of severe forms of trafficking in persons who intends to petition for a nonimmigrant visa under 8 U.S.C. 1101(a)(15)(T) not later than 90 days after receiving the request for certification. The certifying entity shall respond to the request by: (i) completing and signing the certification forms; (ii) issuing a written denial of the request, without prejudice, informing the victim of the reason that the request does not meet the requirements of the certifying entity's policy under section 2; or (iii) in extenuating circumstances outside the control of the certifying entity that prevent the certifying entity from responding to the certification request in the required time period, issuing a written explanation of the delay, the process the certifying entity will undertake to respond and a projected time frame for such response.



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## **Section 4**

REPORT TO EXECUTIVE OFFICE OF PUBLIC SAFETY AND  
SECURITY

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*[ Text of section added by 2021, 24, Sec. 65 effective July 1, 2021. See 2021, 24, Sec. 149.]*

Section 4. (a) Annually, not later than February 1, each certifying entity shall report to the executive office of public safety and security: (i) the number of individuals that requested nonimmigrant status certification; (ii) the number of certification forms that were completed and signed; and (iii) the number of such requests that were denied. The information reported under this subsection shall not include any personal identifying information of an individual requesting nonimmigrant status certification.

(b) Annually, not later than April 1, the executive office of public safety and security shall file a report with the clerks of the house of representatives and the senate, the joint committee on the judiciary and the joint committee on public safety and homeland security on the information received under subsection (a). The report shall include, but not be limited to: (i) the number of individuals that requested nonimmigrant status certification, delineated by certifying entity; (ii) the number of certification forms that were completed

and signed, delineated by certifying entity; (iii) the number of such requests that were denied, delineated by certifying entity; and (iv) total statewide statistics on nonimmigrant status certifications and denials. The report shall not include information that would allow the public to ascertain the identity of an individual requesting nonimmigrant status certification. The executive office shall also make the report publicly available on its website.