

2019 Regular Session

SENATE BILL NO. 145

BY SENATOR JOHNS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIME/PUNISHMENT. Provides relative to human trafficking. (gov sig)

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AN ACT

To amend and reenact Children's Code Art. 606(A)(6) and (7), to enact R.S. 46:62, and to repeal Children's Code Art. 606(A)(8), relative to human trafficking; to provide relative to human trafficking and trafficking of children for sexual purposes as grounds for a child in need of care allegation; to create a coalition to develop a model for delivery of services to victims of human trafficking; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Children's Code Art. 606(A)(6) and (7) are hereby amended and reenacted to read as follows:

Art. 606. Grounds; child in need of care

A. Allegations that a child is in need of care shall assert one or more of the following grounds:

\* \* \*

(6) The child is a victim of human trafficking, **as provided for in R.S. 14:46.2**, or trafficking of children for sexual purposes, **as provided for in R.S. 14:46.3**.



1 implement the provisions of this Section.

2 D. The Department of Children and Family Services shall provide a  
3 report on the development of the coalition's services delivery model to the  
4 Senate and House Committees on Health and Welfare on or before  
5 February 1, 2020, and annually thereafter until completion of the model.

6 Section 3. Children's Code Art. 606(A)(8) is hereby repealed in its entirety.

7 Section 4. This Act shall become effective upon signature by the governor or, if not  
8 signed by the governor, upon expiration of the time for bills to become law without signature  
9 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
10 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
11 effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Alden A. Clement Jr.

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DIGEST

SB 145 Original

2019 Regular Session

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Present law provides that allegations that a child is in need of care shall assert one or more  
of the following grounds:

- (1) The child is the victim of abuse perpetrated, aided, or tolerated by the parent or caretaker, by a person who maintains an interpersonal dating or engagement relationship with the parent or caretaker, or by a person living in the same residence with the parent or caretaker as a spouse whether married or not, and his welfare is seriously endangered if he is left within the custody or control of that parent or caretaker.
- (2) The child is a victim of neglect.
- (3) The child is without necessary food, clothing, shelter, medical care, or supervision because of the disappearance or prolonged absence of his parent or when, for any other reason, the child is placed at substantial risk of imminent harm because of the continuing absence of the parent.
- (4) As a result of a criminal prosecution, the parent has been convicted of a crime against the child who is the subject of this proceeding, or against another child of the parent, and the parent is now unable to retain custody or control or the child's welfare is otherwise endangered if left within the parent's custody or control.
- (5) The conduct of the parent, either as principal or accessory, constitutes a crime against the child or against any other child.
- (6) The child is a victim of human trafficking or trafficking of children for sexual purposes.
- (7) The child is a victim of commercial sexual exploitation, human trafficking, or

trafficking of children for sexual purposes, as provided for in present law, perpetrated by any person regardless of the perpetrator's relationship to the child.

- (8) The child is a victim of female genital mutilation, as defined in present law, or is the sister of a child who has had the crime of female genital mutilation committed upon her.

Proposed law deletes Item (7), above, as redundant with Item (6). Proposed law otherwise retains present law.

Proposed law provides that, subject to appropriation by the legislature, the Dept. of Children and Family Services, working in collaboration with the Dept. of Health, and the Family in Need of Services Assistance Program, with the assistance of the La. Alliance of Children's Advocacy Centers, is to create a coalition to develop a human trafficking victim services delivery model. Proposed law further provides that the model is to be developed with consideration of the recommendations of and collaborating with the La. Human Trafficking Prevention Commission and Advisory Board, and provide a multi-disciplinary and agency approach that coordinates resources and improves the statewide response and delivery of services to victims.

Proposed law provides that the human trafficking victim services delivery model is to provide a plan to address and promote the following goals including but not limited to:

- (1) Safe and sufficient placements.
- (2) Available and adequate funding sources.
- (3) Stakeholder partnerships.
- (4) Coordinated response.
- (5) Appropriate and responsive services.

Proposed law provides that the Dept. of Children and Family Services is to promulgate any rules necessary to implement the provisions of proposed law.

Proposed law provides that the Dept. of Children and Family Services is to provide a report on the development of the coalition's services delivery model to the senate and house committees on health and welfare by 2/1/20 and annually thereafter until completion of the model.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends Ch.C. Art. 606(A)(6) and (7); adds R.S. 46:62; repeals Ch.C. Art. 606(A)(8))