

SENATE BILL NO. 83

BY SENATOR EDMONDS

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AN ACT

To amend and reenact the introductory paragraph of R.S. 46:51(16), the introductory paragraph of 51(16)(b), 2161, and 2161.1 and Children's Code Art. 610(A)(4)(b) and (E)(4) and to enact R.S. 17:419.5, 3996(B)(92), R.S. 46:51(16)(c), and Children's Code Art. 508.1, relative to human trafficking; to require each city, parish or other local public school board to adopt a policy to provide for training with respect to the prevention of human trafficking; to provide for training to identify victims; to provide for designation of certain school employees for certain purposes; to provide for assistance and services for child and youth victims of human trafficking; to provide for procedures; to provide for investigations; to provide for reporting; to provide for definitions; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:419.5 and 3996(B)(92) are hereby enacted to read as follows:

§419.5. Human trafficking prevention; training in elementary and secondary schools

A. Beginning in the 2026-2027 school year, each city, parish, or other local public school board shall adopt a policy on human trafficking victim

1 identification and reporting and require each school to designate at least one
2 employee to receive annual advanced training on human trafficking. The
3 designated school employee shall be a school counselor, mental health
4 professional, or a school administrator.

5 B. The training instruction shall be administered to designated
6 employees by live, in-person training or by an online course. The state
7 Department of Education, in conjunction with the governor's office of human
8 trafficking prevention, shall provide information on available training
9 curriculums to school boards. The training instruction shall at minimum define
10 the crime of human trafficking, differentiate between the types of human
11 trafficking, recognize common indicators of human trafficking, discuss barriers
12 and best practices for victim identification, reinforce reporting requirements,
13 and review resources and services that are available to human trafficking
14 victims in this state.

15 C. A record of the designated employees and the completion of the course
16 shall be retained by each school. Each city, parish, or other local public school
17 board shall document and verify that each school is in compliance with this
18 Section.

19 * * *

20 §3996. Charter schools; exemptions; requirements

21 * * *

22 B. Notwithstanding any state law, rule, or regulation to the contrary and
23 except as may be otherwise specifically provided for in an approved charter, a
24 charter school established and operated in accordance with the provisions of this
25 Chapter and its approved charter and the school's officers and employees shall be
26 exempt from all statutory mandates or other statutory requirements that are
27 applicable to public schools and to public school officers and employees except for
28 the following laws otherwise applicable to public schools with the same grades:

29 * * *

30 (92) Human trafficking prevention training, R.S. 17:419.5.

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Section 2. The introductory paragraph of R.S. 46:51(16), the introductory paragraph of 51(16)(b), 2161, and 2161.1 are hereby amended and reenacted and R.S. 46:51(16)(c) is hereby enacted to read as follows:

§51. Duties of the department

* * *

(16) Make care coordination ~~and advocacy~~ services available for child victims of ~~child sex~~ **human** trafficking **and advocacy services available for child and youth victims of human trafficking** as follows:

* * *

(b) Based on the needs of the child **or youth** and ~~the child's~~ **his** family, advocacy services may include:

* * *

(c) Unless otherwise indicated, the following definitions shall apply to this Section:

(i) "Child" means a person who is under the age of eighteen.

(ii) "Human trafficking" means the perpetration or attempted perpetration of the trafficking of children for sexual purposes, pursuant to R.S. 14:46.3, trafficking related to commercial sexual activity, pursuant to R.S. 14:46.2, or debt bondage or labor trafficking, pursuant to R.S. 14:46.2.

(iii) "Youth" means an individual who is at least eighteen years of age but is not more than twenty-one years of age.

* * *

§2161. Human trafficking victims; services plan; children

A. With respect to children found to be victims of human trafficking, ~~the Department of Children and Family Services, in conjunction with the Louisiana Department of Health, shall develop a plan for the delivery of~~ **a child is eligible for specialized** services ~~to~~ **for** victims of human trafficking.

(1) The child shall be reported to the Louisiana Department of Children and Family Services reporting hotline, in accordance with Children's Code

1 Article 610(A)(4)(b). The department shall make available care coordination
 2 and advocacy services pursuant to R.S. 46:51(16).

3 (2) State agencies with custodial care of children shall ensure that a child
 4 in their care who is determined to be a victim of human trafficking shall have
 5 full access to care coordination and advocacy services.

6 B. Such ~~plan~~ services for victims of human trafficking shall include
 7 provisions for: those services provided in R.S. 46:2161.1.

8 ~~(1) Identifying victims of human trafficking in Louisiana.~~

9 ~~(2) Assisting victims of human trafficking with applying for federal and state~~
 10 ~~benefits and services to which they may be entitled.~~

11 ~~(3) Coordinating the delivery of health, mental health, housing, education, job~~
 12 ~~training, child care, victims' compensation, legal, and other services to victims of~~
 13 ~~human trafficking.~~

14 ~~(4) Preparing and disseminating educational and training programs and~~
 15 ~~materials to increase awareness of human trafficking and services available to~~
 16 ~~victims of human trafficking among local departments of social services, public and~~
 17 ~~private agencies and service providers, and the public.~~

18 ~~(5) Referring child victims to the appropriate community-based services for~~
 19 ~~victims of human trafficking.~~

20 ~~(6) Assisting victims of human trafficking with family reunification or return~~
 21 ~~to their place of origin, if the victims so desire.~~

22 BC. In developing the plan, a comprehensive strategy to prevent human
 23 trafficking and address the needs of human trafficking victims, the governor's
 24 office of human trafficking prevention shall coordinate with the departments
 25 Department of Children and Family Services and the office of juvenile justice,
 26 and shall work together with such other state and federal agencies, public and private
 27 entities, and other stakeholders as they deem appropriate.

28 ED.(1) Each private entity that provides services to victims pursuant to the
 29 provisions of this Section shall submit to the governor's office of human trafficking
 30 prevention and to the Department of Children and Family Services an annual report

1 on their operations including information on the services offered, geographic areas
 2 served, the number of persons served, and individual status updates on each person
 3 served. This information shall not include the name, address, or other identifying
 4 information of the person served. The governor's office of human trafficking
 5 prevention shall compile the data from all of the reports submitted pursuant to the
 6 provisions of this Subsection and shall provide this information to the legislature on
 7 or before the first day of February each year.

8 (2) Each statewide and local law enforcement entity that investigates cases
 9 of human trafficking or related sexual offenses and that provides services to victims
 10 pursuant to the provisions of this Section shall submit to the governor's office of
 11 human trafficking prevention ~~and to the Department of Children and Family Services~~
 12 an annual report on their operations including information on type of investigation,
 13 outcome of the investigation, and any services offered to victims, and demographic
 14 information related to the case and services offered **and any additional information**
 15 **as requested.**

16 (3) Each district attorney who prosecutes cases of human trafficking or
 17 related sexual offenses or who provides services to victims pursuant to the provisions
 18 of this Section shall submit to the governor's office of human trafficking prevention
 19 ~~and to the Department of Children and Family Services~~ an annual report on their
 20 operations including the prosecuting agency's name, parish, disposition of case,
 21 statute under which the offense was prosecuted, sentencing date, restitution ordered,
 22 restitution paid, value of assets from civil asset forfeiture, ~~and~~ any services offered
 23 to victims, **and any additional information as requested.**

24 §2161.1. Human trafficking victims services plan; adults

25 A. With respect to any person ~~referred to the Department of Children and~~
 26 ~~Family Services~~ who is eighteen years of age or older and who is found to be a
 27 victim of human trafficking ~~in which the trafficking activity included commercial~~
 28 ~~sexual activity or any sexual conduct constituting a crime under the laws of this state,~~
 29 ~~the department shall refer the person~~ **shall be provided information on any**
 30 **treatment or specialized services for human trafficking victims or referred to**

1 the appropriate department, agency, or entity to provide the person with the
2 following:

3 (1) Assistance in applying for federal, ~~and state,~~ **and other** benefits and
4 services to which the victim may be entitled.

5 (2) Coordination of the delivery of health care, mental health care, housing,
6 education, job training, child care, victims' compensation, legal, and other services
7 available to victims of human ~~or~~ **trafficking, including** sex trafficking.

8 (3) Referral to the appropriate community-based services to the extent that
9 such services are available.

10 (4) Assistance with family reunification or returning ~~to the victim's~~ **victim**
11 **to their** place of origin, if the victim so desires.

12 B. ~~In coordinating these services for the victim, the department~~ **The**
13 **governor's office of human trafficking prevention** shall work together with such
14 other state and federal agencies, public and private entities, and other stakeholders
15 as they deem appropriate **to implement a comprehensive strategy to prevent**
16 **human trafficking and address the needs of human trafficking victims.**

17 C.(1) Each private entity that provides services to victims pursuant to the
18 provisions of this Section shall submit to the governor's office of human trafficking
19 prevention ~~and to the Department of Children and Family Services~~ an annual report
20 on their operations including information on the services offered, training or
21 certifications received specific to human trafficking, geographic areas served, the
22 number of persons served, and individual status updates on each person served. This
23 information shall not include the name, address, or other identifying information of
24 the person served. The governor's office of human trafficking prevention shall
25 compile the data from all of the reports submitted pursuant to the provisions of this
26 Subsection and shall provide this information to the legislature on or before the first
27 day of February each year.

28 (2) Each statewide and local law enforcement entity that investigates cases
29 of human trafficking or related sexual offenses and that provides services to victims
30 pursuant to the provisions of this Section shall submit to the governor's office of

1 human trafficking prevention ~~and to the Department of Children and Family Services~~
 2 an annual report on their operations including information on the type of
 3 investigation, ~~the~~ the outcome of the investigation, ~~and~~ any services offered to victims,
 4 ~~and any~~ any demographic information related to the case and services offered, ~~and any~~
 5 additional information as requested.

6 (3) Each district attorney who prosecutes cases of human trafficking or
 7 related sexual offenses or who provides services to victims pursuant to the provisions
 8 of this Section shall submit to the governor's office of human trafficking prevention
 9 ~~and to the Department of Children and Family Services~~ an annual report on their
 10 operations including the prosecuting agency's name, parish, disposition of case,
 11 statute under which the offense was prosecuted, sentencing date, restitution ordered,
 12 restitution paid, value of assets from civil asset forfeiture, ~~and~~ any services offered
 13 to victims, and any additional information requested.

14 Section 3. Children's Code Art. 610(A)(4)(b) and (E)(4) are hereby amended and
 15 reenacted and Children's Code Art. 508.1 is hereby enacted to read as follows:

16 Art. 508.1. Multidisciplinary investigative team; care coordination

17 A. Care coordination teams shall comply with the rules of
 18 multidisciplinary investigative teams in accordance with this Part.

19 B. Care coordination teams are responsible for the investigation and
 20 multidisciplinary coordination of child trafficking cases, accepted by the team
 21 in compliance with the team's protocols. Each team shall develop and institute
 22 interagency protocols in accordance with Article 510 of this Part.

23 C.(1) A care coordination team may obtain all information necessary to
 24 perform its official duties from any public agency, department or other
 25 organization, including material otherwise made confidential or privileged. Any
 26 confidential or privileged material or verbal information obtained by a team
 27 member during an investigation shall be disclosed only as necessary to other
 28 team members, and shall not be disclosed to any agency or individual not
 29 represented on the multidisciplinary team unless otherwise required by law.

30 (2) Any public or private department, agency, or organization may share

1 with a care coordination entity all information that is made confidential by law
2 when it is needed to provide or secure services under this Chapter. Confidential
3 information shared with or provided to a care coordination entity remains the
4 property of the providing organization.

5 D. "Care coordination entity" or "care coordination team" means
6 entities that are authorized by Department of Children and Family Services
7 through a procurement contract to provide care coordination services and
8 specialized multidisciplinary teams for victims of human trafficking, pursuant
9 to R.S. 46:51.

10 * * *

11 Art. 610. Reporting procedure; reports to the legislature and the United States
12 Department of Defense Family Advocacy Program

13 A. * * *

14 (4) Reports to the department shall be made as follows:

15 * * *

16 (b) If a report involves alleged ~~sex~~ **human** trafficking, all mandatory
17 reporters shall report via the hotline telephone number to the department regardless
18 of whether there is alleged parental or caretaker culpability.

19 * * *

20 E. * * *

21 (4) The department shall communicate as soon as possible all reports
22 involving alleged child victims of ~~sex~~ **human** trafficking to the Louisiana State
23 Police for referral to the appropriate local law enforcement agency for investigation
24 or other action as appropriate.

25 * * *

26 Section 4. Implementation of the provisions of the introductory paragraph of R.S.
27 46:51(16) and the introductory paragraph of R.S. 46:51(16)(b) as amended and reenacted by
28 this Act and R.S. 46:51(16)(c) as enacted by this Act is subject to the appropriation of funds
29 by the legislature for this purpose.

30 Section 5. This Act shall become effective upon signature by the governor or, if not

1 signed by the governor, upon expiration of the time for bills to become law without signature
2 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
3 vetoed by the governor and subsequently approved by the legislature, this Act shall become
4 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____