

RÉSUMÉ DIGEST

ACT 352 (SB 170)

2021 Regular Session

Johns

Prior law provided for the crime of human trafficking. Makes it unlawful to use another person to provide any labor or service having economic value through fraud, force, or coercion or to facilitate or benefit from the prohibited activities. If the victim is under age 21 and providing some commercial sexual activity, the use of fraud, force, or coercion is not necessary.

Prior law provides for human trafficking victims services plans for children and adults. Creates the 17-member La. Human Trafficking Prevention Commission (commission) in the office of the governor and a 23-member advisory board for the purpose of coordinating human trafficking prevention programs and integrating delivery of services to human trafficking victims.

New law retains prior law and, effective July 1, 2021, creates the office of human trafficking prevention (OHTP) in the governor's office for the purpose of coordinating resources of public and private entities engaged in providing assistance to human trafficking victims. Places the commission within OHTP.

New law provides for an executive director of OHTP appointed by the governor and confirmed by the Senate. Adds the executive director to the commission. Provides for the executive director to employ necessary staff.

New law provides for the powers and duties of the office, including the requirement to develop and implement a comprehensive strategic plan to prevent human trafficking and to address the needs of human trafficking victims. Requires the plan to be submitted annually to the legislature, the Department of Children and Family Services(DCFS), and certain other statutory entities.

Prior law required DCFS to make a current listing of safe houses for sexually exploited children available to courts, prosecutors, and other stakeholders.

New law requires the list to be made available to OHTP as well and requires an annual report on their operations including formation on the services offered, a listing of credentials, training, and licenses specific to survivor-centered and trauma-informed services for human trafficking survivors.

Prior law required each private entity providing victims services pursuant to prior law and each safe house to submit annual reports to DCFS on their operations including information on services offered, training, or certifications received specific to human trafficking prevention. Required DCFS to compile data from the reports and provide the data to the legislature by February first.

New law requires reports to be submitted to OHTP as well as DCFS. Moves the requirement for data compilation and transmission to the legislature from DCFS to OHTP.

Prior law required DCFS to create a coalition to develop a human trafficking victim services delivery model, giving consideration to the recommendations of and collaborating with the commission and advisory board.

New law repeals prior law.

Effective upon signature of the governor (June 17, 2021).

(Amends R.S. 46:2161(C), 2161.1(A) and (C), 2165(A) and (B)(2) and (6), 2166(D), 2167(D), and Children's Code Art. 725.2(A)(1) and (B); adds R.S. 36:4(J) and R.S. 46:2166(A)(18) and 2169-2169.1; repeals R.S. 46:62)