

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

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

# A Bill

SENATE BILL 1012

5 By: Senator Irvin  
6

## For An Act To Be Entitled

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

## Subtitle

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

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 *SECTION 1. Arkansas Code § 9-28-402(7), concerning the definition of*  
22 *"child placement agency" for the Child Welfare Agency Licensing Act, is*  
23 *amended to read as follows:*

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

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

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

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

35 *(D) Places, plans for the placement or assists in the*  
36 *placement of a child victim of human trafficking in a home or any type of*



1 shelter or facility;

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

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

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

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

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

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

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

26 12-19-104. Law enforcement agency nonimmigrant visa certification.

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

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

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

1       16-92-119. Training regarding fines dedicated for the Safe Harbor Fund  
2 for Sexually Exploited Children.

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

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

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

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

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

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

22               (1) A representative of domestic violence programs or domestic  
23 violence service providers in Arkansas;

24               (2) A representative of the Department of Arkansas State Police;

25               (3) A physician specializing in the treatment of child abuse;

26               (4) A prosecuting attorney who is a member of the Arkansas  
27 Prosecuting Attorneys Association;

28               (5) A defense attorney;

29               (6) A representative of a victim-witness program;

30               (7) A representative of the Arkansas Law Enforcement Training  
31 Academy;

32               (8) A representative of education;

33               (9) A representative of the Division of Children and Family  
34 Services of the Department of Human Services;

35               (10) A representative of a parents' group;

36               (11) A mental health professional specializing in the treatment

1 of child abuse or domestic violence or rape;

2 (12) A representative of the Department of Correction Reduction  
3 of Sexual Victimization Program;

4 (13) A representative of city or county law enforcement;

5 (14) A representative of children with disabilities;

6 (15) A district judge or circuit judge;

7 (16) A chancery judge;

8 (17) A representative of the State Crime Laboratory;

9 (18) A representative of the Department of Health;

10 (19) A representative of rape crisis centers;

11 (20) A representative of the Arkansas Hospital Association;

12 (21) A representative of the office of the Attorney General;

13 (22) Three (3) members at large;

14 (23) A court-appointed special advocate representative;

15 (24) A guardian ad litem; ~~and~~

16 (25) A representative of area health education center programs;

17 (26) A faculty member from a four-year college or university  
18 with experience in the study of human trafficking or a closely related area  
19 of study;

20 (27) A representative from the Department of Labor; and

21 (28) A healthcare provider experienced in the treatment of human  
22 trafficking victims.

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

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

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

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

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*/s/ Irvin*