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HOUSE BILL NO. 260

Offered January 12, 2022

Prefiled January 11, 2022

A BILL to amend and reenact § 9.1-116.5 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 9.1-116.5:1, relating to Sex Trafficking Response Coordinator; Human Trafficking Victim Support Certification Program; victim service providers.

Patron—Simonds

Committee Referral Pending

Be it enacted by the General Assembly of Virginia:

1. That § 9.1-116.5 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 9.1-116.5:1 as follows:

§ 9.1-116.5. Sex Trafficking Response Coordinator; duties; report.

A. There is established within the Department a Sex Trafficking Response Coordinator (the Coordinator). The Coordinator shall:

1. Create a statewide plan for local and state agencies to identify and respond to victims of sex trafficking;

2. Coordinate the development of standards and guidelines for treatment programs for victims of sex trafficking;

3. Maintain a list of programs that provide treatment or specialized services to victims of sex trafficking and make such list available to law-enforcement agencies, attorneys for the Commonwealth, crime victim and witness assistance programs, the Department of Juvenile Justice, the Department of Social Services, the Department of Education, and school divisions;

4. Oversee the development of a curriculum to be completed by persons convicted of solicitation of prostitution under § 18.2-346.01; and

5. Promote strategies for the education, training, and awareness of sex trafficking and for the reduction of demand for commercial sex;

6. Develop and oversee a Human Trafficking Victim Support Certification Program (the Program) and establish compulsory minimum training standards for such program in order for victim service providers to obtain human trafficking victim support certification and renewal of such certification as required pursuant to § 9.1-116.5:1; and

7. Conduct biennial evaluations of treatment programs for victims of human trafficking, including sex trafficking, to ensure compliance with the certification and renewal of certification requirements pursuant to § 9.1-116.5:1.

B. The Coordinator may request and shall receive from every department, division, board, bureau, commission, authority, or other agency created by the Commonwealth, or to which the Commonwealth is a party or any political subdivision thereof, cooperation and assistance in the performance of its duties. The Coordinator may also consult and exchange information with local government agencies and interested stakeholders.

C. The Coordinator shall report annually on or before October 1 to the Governor and the General Assembly. The report shall include a summary of activities for the year and any recommendations to address sex trafficking within the Commonwealth. The Department shall ensure that such report is available to the public.

§ 9.1-116.5:1. Human trafficking victim support certificate; victim service providers.

A. For the purposes of this section, "victim service provider" means (i) a person who is employed by a local government or state agency and whose job duties involve providing victim assistance or (ii) a person whose job or volunteer duties involve providing direct services to victims and (a) who is employed by or volunteers for an organization that is incorporated in the Commonwealth, holds a certificate or authority in the Commonwealth, or is registered as a charitable organization in the Commonwealth; (b) the organization's mission is victim assistance or advocacy; and (c) the organization is privately funded or receives funds from federal, state, or local governments to provide services to victims.

B. All victim service providers working or volunteering for a treatment program for victims of human trafficking, including sex trafficking, shall obtain a human trafficking victim support certificate through the Human Trafficking Certification Victim Support Program (the Program) developed by the Sex Trafficking Response Coordinator pursuant to § 9.1-116.5 and shall renew such certificate through the Program every two years.

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59 C. All treatment programs for victims of human trafficking, including sex trafficking, shall ensure
60 that all victim service providers working or volunteering for such program obtain and maintain the
61 required human trafficking victim support certificate. Any treatment program that is not in compliance
62 with this subsection may be ineligible for grants from the Commonwealth available for treatment
63 programs for sex trafficking or any other form of human trafficking.

64 **2. That any person who is a victim service provider, as defined in § 9.1-116.5:1 of the Code of**
65 **Virginia, as created by this act, working or volunteering for a treatment program for victims of**
66 **human trafficking, including sex trafficking, prior to July 1, 2022 shall be required to obtain a**
67 **human trafficking victim support certificate pursuant to the provisions of this act by July 1, 2024.**