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HOUSE BILL NO. 755

Offered January 12, 2022

Prefiled January 11, 2022

A *BILL to amend the Code of Virginia by adding in Title 63.2 a chapter numbered 24, consisting of sections numbered 63.2-2400 through 63.2-2402, relating to Anti-Human Trafficking and Survivor Trust Fund.*

Patrons—Krizek, Clark, Hope, Maldonado, Plum, Roem, Shin, Simonds and Subramanyam

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 63.2 a chapter numbered 24, consisting of sections numbered 63.2-2400 through 63.2-2402, as follows:

CHAPTER 24.**ANTI-HUMAN TRAFFICKING AND SURVIVOR TRUST FUND.****§ 63.2-2400. Anti-Human Trafficking and Survivor Trust Fund.**

A. There is hereby created in the state treasury a special nonreverting fund to be known as the Anti-Human Trafficking and Survivor Trust Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All funds appropriated for such purpose and any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the support and development of services for the prevention of human trafficking and the treatment and support of human trafficking victims. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the chairman of the Board of Trustees established pursuant to § 63.2-2401.

§ 63.2-2401. Board of Trustees; membership terms; vacancies; meetings.

A. The Trust Fund shall be administered by a Board of Trustees (the Board). The Board shall consist of 14 nonlegislative citizen members appointed by the Governor and subject to confirmation by the General Assembly and one ex officio member. The Board members shall represent the Commonwealth at large and shall have knowledge and experience relating to human trafficking prevention, treatment and support of human trafficking victims, finance and fiscal management, and other related areas. The Commissioner or his designee shall serve ex officio with nonvoting privileges. Nonlegislative citizen members of the Board shall be citizens of the Commonwealth. The Board shall elect a chairman from among its members.

B. Initially, five appointments of nonlegislative citizen members of the Board shall be for a term of four years, five appointments shall be for a term of three years, and four appointments shall be for a term of two years; thereafter, all appointments shall be for terms of four years. The Commissioner shall serve a term coincident with his term of office. Appointments to fill vacancies other than by expiration of term shall be for the unexpired term. No member shall be eligible to serve more than two successive four-year terms.

C. The Board shall meet as frequently as necessary to fulfill its duties but not less than once a year.

§ 63.2-2402. Powers and duties of the Board of Trustees.

The Board of Trustees shall have the following powers and duties:

1. Encourage, approve, and accept gifts, contributions, bequests, or grants in cash or otherwise from any source, public or private, to carry out the purposes of the Anti-Human Trafficking and Survivor Trust Fund;

2. Administer and disburse any funds available to the Anti-Human Trafficking and Survivor Trust Fund;

3. Engage in fundraising activities to expand and perpetuate the Anti-Human Trafficking and Survivor Trust Fund;

4. Monitor the use of funds to ensure the accountability of the recipients of funds;

5. Advise the Department, the Board of Social Services, and the Governor on matters concerning programs for the prevention of human trafficking, the treatment and support of human trafficking victims, and such other issues related to human trafficking as identified by the Commissioner;

6. Communicate to the Departments of Behavioral Health and Developmental Services, Corrections, Criminal Justice Services, Education, Health, and Juvenile Justice, other state agencies as appropriate,

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59 *and the Attorney General regarding activities of the Board of Trustees related to efforts to prevent*
60 *human trafficking and treat and support victims of human trafficking;*
61 *7. Encourage public awareness activities regarding human trafficking;*
62 *8. Adopt bylaws and other internal rules for the efficient management of the Anti-Human Trafficking*
63 *and Survivor Trust Fund;*
64 *9. Administer all matters necessary and convenient to carry out the purposes of this chapter; and*
65 *10. Submit an annual report to the Governor and the General Assembly for publication as a report*
66 *document as provided in the procedures of the Division of Legislative Automated Systems for the*
67 *processing of legislative documents and reports. The chairman shall submit to the Governor and the*
68 *General Assembly an annual executive summary of the interim activity and work of the Board of*
69 *Trustees no later than the first day of each regular session of the General Assembly. The executive*
70 *summary shall be submitted as a report document as provided in the procedures of the Division of*
71 *Legislative Automated Systems for the processing of legislative documents and reports and shall be*
72 *posted on the General Assembly's website.*