

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 495*

Short Title: Modify NC Human Trafficking Comm. Membership. (Public)

Sponsors: Representatives Schaffer and Presnell (Primary Sponsors).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Rules, Calendar, and Operations of the House, if favorable, Judiciary.

April 2, 2013

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE MEMBERSHIP OF THE NORTH CAROLINA HUMAN
TRAFFICKING COMMISSION.

The General Assembly of North Carolina enacts:

SECTION 1. Subsections (a) through (k) of Section 15.3A of S.L. 2012-142 are codified as subsections (a) through (k) of G.S. 143A-55.10, respectively.

SECTION 2. G.S. 143A-55.10, as codified by Section 1 of this act, reads as rewritten:

"§ 143A-55.10. North Carolina Human Trafficking Commission.

(a) Establishment. – There is established in the Department of Justice the North Carolina Human Trafficking Commission. For purposes of this section, "Commission" means the North Carolina Human Trafficking Commission.

(b) ~~Members.~~ Membership. – The Commission shall consist of ~~12~~ 15 members as follows:

(1) The President Pro Tempore of the Senate shall appoint one representative from each of the following:

- a. The public at large.
- ~~b. A county sheriff's department.~~
- ~~c. A city or town police department.~~
- b. Legal Aid of North Carolina, Inc.
- c. Department of Labor.
- d. North Carolina Justice Center.
- e. A trauma expert.

(2) The Speaker of the House of Representatives shall appoint one representative from each of the following:

- a. The public at large.
- ~~b. A county sheriff's department.~~
- ~~c. A city or town police department.~~
- b. North Carolina Coalition Against Human Trafficking.
- c. Hospital or Health Care representative.
- d. One of the area sexual assault response teams.
- e. A faith-based shelter or benefits organization.

(3) The Governor shall appoint one representative from ~~the public at large~~ each of the following:

- a. State Bureau of Investigation.



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- 1 b. State Highway Patrol.
2 c. A county sheriff's department.
3 d. A city or town police department.
4 e. A district attorney.
5 (4) ~~The following persons, or their designees, shall serve as ex officio members~~
6 ~~of the Commission:~~
7 ~~a. The Secretary of Public Safety.~~
8 ~~b. The Secretary of Administration.~~
9 ~~c. The Secretary of Labor.~~
10 ~~d. The Secretary of Health and Human Services.~~
11 ~~e. The Attorney General.~~
12 (c) Powers. – The Commission shall have the following powers:
13 (1) To apply for and receive, on behalf of the State, funding from federal, public
14 or private initiatives, grant programs, or donors that will assist in examining
15 and countering the problem of human trafficking in North Carolina.
16 (2) To commission, fund, and facilitate quantitative and qualitative research to
17 explore the specific ways human trafficking is occurring in North Carolina
18 and the links to international and domestic human trafficking, and to assist in
19 creating measurement, assessment, and accountability mechanisms.
20 (3) To contribute to efforts to inform and educate law enforcement personnel,
21 social services providers, and the general public about human trafficking so
22 that human traffickers can be prosecuted and victim-survivors can receive
23 appropriate services.
24 (4) To suggest new policies, procedures, or legislation to further the work of
25 eradicating human trafficking and to provide assistance and review with new
26 policies, procedures, and legislation.
27 (5) To assist in developing regional response teams or other coordinated efforts
28 to counter human trafficking at the level of law enforcement, legal services,
29 social services, and nonprofits.
30 (6) To identify gaps in law enforcement or service provision and recommend
31 solutions to those gaps.
32 (7) To consider whether human trafficking should be added to the list of
33 criminal convictions that require registration under the sex offender and
34 public protection registration program.
35 (d) ~~Terms.~~Terms and Chair. – Members shall serve ~~until the Commission~~
36 ~~terminates.~~two-year terms, with no prohibition against being reappointed. Any individual
37 appointed to serve on the Commission shall serve until his or her successor is appointed and
38 qualified. The chair shall be appointed biennially by the Governor from among the membership
39 of the Commission.
40 (e) Meetings. – The chair shall convene the Commission. Meetings shall be held as
41 often as necessary, but not less than four times a year.
42 (f) Quorum. – A majority of the members of the Commission shall constitute a quorum
43 for the transaction of business. The affirmative vote of a majority of the members present at
44 meetings of the Commission shall be necessary for action to be taken by the Commission.
45 (g) Vacancies. – A vacancy on the Commission or as chair of the Commission resulting
46 from the resignation of a member or otherwise shall be filled in the same manner in which the
47 original appointment was made, and the term shall be for the balance of the unexpired term.
48 (h) Removal. – The Commission may remove a member for misfeasance, malfeasance,
49 nonfeasance, or neglect of duty.

1 (i) Compensation. – Commission members shall receive no per diem for their services
2 but shall be entitled to receive travel allowances in accordance with the provisions of
3 G.S. 138-5 or G.S. 138-6, as appropriate.

4 (j) Office Space and Staffing. – The Department of Justice shall provide office space in
5 Raleigh for use as offices by the Commission and shall be responsible for staffing the
6 Commission.

7 ~~(k) Termination Funding. – The Commission established under this section shall~~
8 ~~terminate on December 31, 2014.~~ From funds available to the Department of Justice, the
9 Attorney General shall allocate monies to fund the work of the Commission."

10 **SECTION 3.** This act is effective when it becomes law.