
A BILL FOR AN ACT

RELATING TO A SEX TRAFFICKING SPECIAL TREATMENT FACILITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 346, Hawaii Revised Statutes, is
2 amended by adding a new part to be appropriately designated and
3 to read as follows:

4 **"PART SEX TRAFFICKING SPECIAL TREATMENT FACILITIES**

5 **§346- Definitions.** As used in this part:

6 "Sex trafficking special treatment facility" means a
7 facility that provides a therapeutic residential program for
8 care, diagnosis, treatment, or rehabilitation services for sex
9 trafficking victims who are minors.

10 "Sex trafficking victim who is a minor" means a person
11 under the age of eighteen who is found to be:

12 (1) Engaging in prostitution pursuant to section 712-
13 1200(1)(a);

14 (2) A victim of sex trafficking pursuant to section 712-
15 1202(1)(b); or

16 (3) A victim of the crime of sex trafficking of children
17 under 18 United States Code section 1591.



1 "Victim service provider" means any nongovernmental
2 organization that provides social services to sex trafficking
3 victims who are minors including but not limited to housing,
4 rehabilitation, education, vocational, medical, mental health,
5 and substance abuse treatment programs.

6 **§346- Sex trafficking special treatment facility**
7 **operation and management.** The department may contract with a
8 victim service provider to operate and manage a sex trafficking
9 special treatment facility for sex trafficking victims who are
10 minors. The selection of a victim service provider shall not be
11 subject to chapters 42F, 102, 103D, or 103F.

12 A sex trafficking special treatment facility established
13 and operated pursuant to this part shall have a current and
14 valid license issued and approved by the department of health to
15 operate as a special treatment facility.

16 **§346- Housing and appropriate services.** To the extent
17 that appropriations are made available, a victim service
18 provider shall provide housing and appropriate services to
19 eligible sex trafficking victims who are minors after those
20 minors are granted admittance to the sex trafficking special
21 treatment facility.



1 **§346- Determination of eligibility and need.** The victim
2 service provider operating and managing a sex trafficking
3 special treatment facility, in consultation with the department
4 and family court, shall be responsible for determining:

- 5 (1) If a sex trafficking victim who is a minor is eligible
6 for residence at the facility, including the degree of
7 need and course of treatment for each victim; and
8 (2) Whether a participant is no longer eligible for
9 residence at the facility.

10 **§346- Unauthorized entry; penalty.** Any person who
11 enters or remains in or upon the premises of any sex trafficking
12 special treatment facility authorized by this part, after being
13 requested to leave by the victim service provider, the
14 department or its designee, or a police officer, shall be guilty
15 of a misdemeanor; provided that the offense in this section
16 shall be in addition to any other applicable offense in the
17 Hawaii Penal Code.

18 **§346- Exemption from tax, fee, and other requirements.**

19 (a) Any compensation received by a victim service provider
20 pursuant to this part for services rendered to sex trafficking
21 victims who are minors or for operating or managing a sex



1 trafficking special treatment facility shall be exempt from
2 taxation under chapter 237.

3 (b) Any county mayor, by executive order, may exempt from
4 real property taxes, water and sewer development fees, rates
5 collected for water supplied to consumers and for use of sewers,
6 and any other county taxes, charges, or fees, a victim service
7 provider operating and managing a sex trafficking special
8 treatment facility pursuant to this part; provided that any
9 county may enact ordinances to regulate the exemptions granted
10 by this subsection.

11 (c) Any victim service provider operating or managing a
12 sex trafficking special treatment facility pursuant to this part
13 shall be exempt from any requirements contained in part VIII of
14 chapter 346 and chapters 467B and 521.

15 **§346- Annual reports.** The department shall require any
16 victim service provider contracted pursuant to this part to
17 submit to the department a financial report each year that the
18 contract is in effect. The report shall contain information
19 specific to the funds received under sex trafficking special
20 treatment facility contracts and include recommendations about
21 improving services for sex trafficking victims who are minors.



1 Failure to provide a financial report shall be grounds for the
2 department to terminate a contract with a victim service
3 provider for operating or managing a sex trafficking special
4 treatment facility authorized by this part.

5 **§346- Additional programs.** This part shall not prohibit
6 the department from establishing additional programs for sex
7 trafficking victims who are minors."

8 SECTION 2. Chapter 237, Hawaii Revised Statutes, is
9 amended by adding a new section to be appropriately designated
10 and to read as follows:

11 "**§237- Exemption of sex trafficking special treatment**
12 **facilities.** There shall be exempted from, and excluded from the
13 measure of, the taxes imposed by this chapter all of the
14 compensation received by a victim service provider for services
15 rendered to sex trafficking victims who are minors or for
16 operating or managing a sex trafficking special treatment
17 facility, pursuant to part 346- ."

18 SECTION 3. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$ or so much
20 thereof as may be necessary for fiscal year 2017-2018 and the
21 same sum or so much thereof as may be necessary for fiscal year



H.B. NO. 125

1 2018-2019 for the department of human services to carry out the
2 requirements of this Act.

3 The sums appropriated shall be expended by the department
4 of human services for the purposes of this Act.

5 SECTION 4. New statutory material is underscored.

6 SECTION 5. This Act shall take effect upon its approval;
7 provided that section 3 of this Act shall take effect on July 1,
8 2017.

9

INTRODUCED BY:



A handwritten signature in black ink, appearing to read "John M. Beard", is written over a horizontal line. The signature is stylized and cursive.

JAN 19 2017



H.B. NO. 125

Report Title:

Sex Trafficking; Victims; Minors; Treatment Services;
Appropriation

Description:

Allows the Department of Human Services to contract with a victim service provider to operate and manage a sex trafficking special treatment facility. Provides for tax, fee, and other exemptions. Appropriates funds.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

