
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.

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

15 **§346- Housing and appropriate services.** To the extent
16 that appropriations are made available, a victim service
17 provider shall provide housing and appropriate services to
18 eligible sex trafficking victims who are minors after those
19 minors are granted admittance to the sex trafficking special
20 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- Annual reports.** The department shall require any
19 victim service provider contracted pursuant to this part to
20 submit to the department a financial report each year that the
21 contract is in effect. The report shall contain information



1 specific to the funds received under sex trafficking special
2 treatment facility contracts and include recommendations about
3 improving services for sex trafficking victims who are minors.
4 Failure to provide a financial report shall be grounds for the
5 department to terminate a contract with a victim service
6 provider for operating or managing a sex trafficking special
7 treatment facility authorized by this part.

8 **§346- Additional programs.** This part shall not prohibit
9 the department from establishing additional programs for sex
10 trafficking victims who are minors."

11 SECTION 2. There is appropriated out of the general
12 revenues of the State of Hawaii the sum of \$ or so much
13 thereof as may be necessary for fiscal year 2017-2018 and the
14 same sum or so much thereof as may be necessary for fiscal year
15 2018-2019 for the department of human services to carry out the
16 requirements of this Act.

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

19 SECTION 3. This Act shall take effect on July 1, 2075.



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 for trafficking victims who are minors. Appropriates funds. (HB125 HD1)

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

