
A BILL FOR AN ACT

RELATING TO A SEX TRAFFICKING EMERGENCY SHELTER.

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 section to be appropriately designated
3 and to read as follows:

4 "§346- Sex trafficking emergency shelter. (a) The
5 department may establish or contract with a victim service
6 provider to operate and manage a sex trafficking emergency
7 shelter.

8 (b) To the extent that appropriations are made available,
9 the sex trafficking emergency shelter shall provide housing and
10 appropriate services to victims after those victims are granted
11 admittance to the sex trafficking emergency shelter.

12 (c) The operator of the sex trafficking emergency shelter,
13 in consultation with any appropriate governmental agency or
14 nongovernmental organization, shall be responsible for
15 determining:



1 (1) If a victim is eligible for residence at the sex
2 trafficking emergency shelter, including the degree of
3 need and course of treatment for each victim; and

4 (2) Whether a victim is no longer eligible for residence
5 at the sex trafficking emergency shelter;
6 provided that the term of residence for any victim shall not
7 exceed thirty days.

8 (d) Any person who enters or remains in or upon the
9 premises of any sex trafficking emergency shelter authorized by
10 this section, after being requested to leave by the department
11 or its designee, victim service provider, or a police officer,
12 shall be guilty of a misdemeanor; provided that the offense in
13 this subsection shall be in addition to any other applicable
14 offense in the Hawaii Penal Code.

15 (e) Beginning on January 1, 2019, any compensation
16 received by a victim service provider pursuant to this section
17 for operating or managing a sex trafficking emergency shelter
18 shall be exempt from taxation under chapter 237.

19 (f) Any county mayor, by executive order, may exempt from
20 real property taxes, water and sewer development fees, rates
21 collected for water supplied to consumers and for use of sewers,



1 and any other county taxes, charges, or fees, the operator of a
2 sex trafficking emergency shelter established pursuant to this
3 section; provided that any county may enact ordinances to
4 regulate the exemptions granted by this subsection.

5 (g) The department shall require any victim service
6 provider contracted pursuant to this section to submit to the
7 department a financial report each year that the contract is in
8 effect. The report shall include recommendations about
9 improving services for victims. Failure to provide a financial
10 report shall be grounds for the department to terminate a
11 contract with a victim service provider for operating or
12 managing a sex trafficking emergency shelter authorized by this
13 section.

14 (h) A sex trafficking emergency shelter operated pursuant
15 to this section shall comply with any federal or state licensing
16 requirements for residential facilities for minors.

17 (i) This section shall not prohibit the department from
18 establishing additional programs for sex trafficking victims.

19 (j) As used in this section:

20 "Sex trafficking emergency shelter" means a facility that
21 provides emergency services for sex trafficking victims,



1 including but not be limited to, housing, rehabilitative,
2 medical, mental-health, therapeutic, legal, or diagnostic
3 services.

4 "Victim" means:

- 5 (1) A person under the age of eighteen who commits the
6 offense of prostitution pursuant to section
7 712-1200(1)(a) and has been directed by the family
8 court in the relevant jurisdiction to receive
9 services;
- 10 (2) A person who in good faith alleges that the person is
11 subjected to sex trafficking pursuant to section
12 712-1202;
- 13 (3) A person who in good faith alleges that the person is
14 subjected to promoting prostitution pursuant to
15 section 712-1203;
- 16 (4) A victim of a severe form of trafficking or a victim
17 of trafficking under title 22 United States Code
18 section 7102 et seq.; or
- 19 (5) A person subjected to the crime of sex trafficking of
20 children under title 18 United States Code section
21 1591.



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

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

9 "§237- Exemption for victim service providers of sex
10 trafficking emergency shelters. There shall be exempted from
11 the measure of all taxes imposed by this chapter any
12 compensation received by a victim service provider for services
13 rendered to sex trafficking victims pursuant to section 346- ."

14 SECTION 3. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$ or so
16 much thereof as may be necessary for fiscal year 2018-2019 for
17 the department of human services to establish or contract with a
18 victim service provider to operate and manage a sex trafficking
19 emergency shelter.

20 The sum appropriated shall be expended by the department of
21 human services for the purposes of this Act.



1 SECTION 4. New statutory material is underscored.

2 SECTION 5. This Act shall take effect July 1, 2018;

3 provided that section 2 shall take effect on January 1, 2019.

4



Report Title:

Sex Trafficking Emergency Shelter; Department of Human Services;
Appropriation

Description:

Allows DHS to establish or contract with a victim service provider to operate and manage a sex trafficking emergency shelter. Provides for tax and fee exemptions. Makes an appropriation. (SD1)

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