
A BILL FOR AN ACT

RELATING TO HUMAN TRAFFICKING.

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

1 SECTION 1. Chapter 706, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§706- Human trafficking victim services fund. (1) In
5 addition to any disposition authorized by chapter 706, any
6 individual who is:

7 (a) Convicted of an offense under part VIII of chapter
8 707; or

9 (b) Convicted of an offense under part I of chapter 712;
10 shall be ordered to pay a fee under subsection (2).

11 (2) Fees for individuals subject to subsection (1) shall
12 not exceed the following:

13 (a) \$5,000 when the offense is a class A felony;

14 (b) \$2,500 when the offense is a class B felony;

15 (c) \$1,000 when the offense is a class C felony;

16 (d) \$500 when the offense is a misdemeanor; or

17 (e) \$250 when the offense is a petty misdemeanor.



1 (3) There is established within the state treasury a special
2 fund to be known as the human trafficking victim services fund
3 to be administered by the department of labor and industrial
4 relations. The disbursement of money from the human trafficking
5 victim services fund shall be used to supplement programs,
6 grants, or purchase of service contracts that support or provide
7 comprehensive services to victims of labor trafficking crimes
8 under part VIII of chapter 707, or victims of trafficking
9 related to crimes under part I of chapter 712. Moneys in the
10 special fund shall be used for new or existing programs, grants,
11 or purchase of service contracts and shall not supplant any
12 other moneys previously allocated to these programs, grants, or
13 purchase of service contracts.

14 (4) All fees paid and interest accrued on funds collected
15 pursuant to this section shall be deposited into the human
16 trafficking victim services fund.

17 (5) When a defendant is ordered to make payments in addition
18 to the human trafficking victim services fee authorized under
19 subsection (2), payments by the defendant shall be made in the
20 following order of priority:



- 1 (a) Restitution imposed under section 706-646, 707-785, or
- 2 707-786;
- 3 (b) Crime victim compensation fee imposed under section
- 4 351-62.6;
- 5 (c) Probation services fee imposed under section 706-648;
- 6 (d) Human trafficking victim services fee imposed under
- 7 subsection (2);
- 8 (e) Other fees; and
- 9 (f) Fines.
- 10 (6) The department of labor and industrial relations shall
- 11 submit to the legislature no later than twenty days prior to the
- 12 convening of each regular session a written annual report that
- 13 provides the following:
- 14 (a) An accounting of the receipts of and expenditures from
- 15 the human trafficking victim services fund; and
- 16 (b) Any recommendations to improve support of and services
- 17 to victims of labor trafficking crimes under part VIII
- 18 of chapter 707, or victims of trafficking related to
- 19 crimes under part I of chapter 712."

1 SECTION 2. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 3. New statutory material is underscored.

5 SECTION 4. This Act shall take effect upon its approval.



Report Title:

Human Trafficking; Department of Labor and Industrial Relations

Description:

Establishes the Human Trafficking Victim Services Fund to be administered by the DLIR to provide support and services to human trafficking victims. Also establishes human trafficking victim fees to be imposed upon persons convicted of labor trafficking and prostitution offenses. (HB2038 CD1)

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