

JAN 17 2014

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 or 853,
6 any 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) \$30,000 when the offense is a class A felony;

14 (b) \$20,000 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
2 special fund to be known as the human trafficking victim
3 services fund to be administered by the department of labor and
4 industrial relations. The disbursement of money from the human
5 trafficking victim services fund shall be used to supplement
6 programs, grants, or purchase of service contracts that support
7 or provide comprehensive services to victims of labor
8 trafficking crimes under part VIII of chapter 707, or victims of
9 promoting prostitution in the first degree under section 712-
10 1202 or a severe form of trafficking as defined under title 22
11 United States Code section 7102. Moneys in the special fund
12 shall be used for new or existing programs, grants, or purchase
13 of service contracts and shall not supplant any other moneys
14 previously allocated to these programs, grants, or purchase of
15 service contracts.

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

19 (5) Pursuant to section 706-605, any crime victim
20 compensation fees imposed under part III of chapter 706,
21 restitution imposed by section 707-785 or 707-786, and probation



1 fees shall be paid before payment of the fee under subsection
2 (2).

3 (6) The department of labor and industrial relations shall
4 submit to the legislature no later than twenty days prior to the
5 convening of each regular session a written annual report that
6 provides the following:

7 (a) An accounting of the receipts of and expenditures from
8 the human trafficking victim services fund; and

9 (b) Any recommendations to improve support of and services
10 to victims of labor trafficking crimes under part VIII
11 of chapter 707, or victims of promoting prostitution
12 in the first degree under section 712-1202 or a severe
13 form of trafficking as defined under title 22 United
14 States Code section 7102."

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

18 SECTION 3. New statutory material is underscored.

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

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Report Title:

Human Trafficking; Department of Labor and Industrial Relations

Description:

Establishes the human trafficking victim services fund to be administered by the department of labor and industrial relations to provide support and services to human trafficking victims.

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