

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

As Engrossed: S3/19/15

# A Bill

SENATE BILL 1012

5 By: Senator Irvin  
6

## For An Act To Be Entitled

8 AN ACT TO IMPLEMENT THE FINDINGS OF THE ATTORNEY  
9 GENERAL'S TASK FORCE ON HUMAN TRAFFICKING; AND FOR  
10 OTHER PURPOSES.  
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## Subtitle

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14 TO IMPLEMENT THE FINDINGS OF THE ATTORNEY  
15 GENERAL'S TASK FORCE ON HUMAN  
16 TRAFFICKING.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 *SECTION 1. Arkansas Code § 9-28-402(7), concerning the definition of*  
22 *"child placement agency" for the Child Welfare Agency Licensing Act, is*  
23 *amended to read as follows:*

24 *(7) "Child placement agency" means a child welfare agency, not*  
25 *including any person licensed to practice medicine or law in the State of*  
26 *Arkansas, that engages in any of the following activities:*

27 *(A) Places a child in a foster home, adoptive home, or any*  
28 *type of facility licensed or exempted by this subchapter;*

29 *(B) Plans for the placement of a child into a foster home,*  
30 *adoptive home, or any type of facility licensed or exempted by this*  
31 *subchapter; ~~or~~*

32 *(C) Assists the placement of a child in a foster home,*  
33 *adoptive home, or any type of facility licensed or exempted by this*  
34 *subchapter; or*

35 *(D) Places, plans for the placement or assists in the*  
36 *placement of a child victim of human trafficking in a home or any type of*



1 shelter or facility;

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3 SECTION 2. Arkansas Code § 9-28-402(8), concerning the definition of  
4 "child welfare agency" for the Child Welfare Agency Licensing Act, is amended  
5 to read as follows:

6 (8) "Child welfare agency" means any person, corporation,  
7 partnership, voluntary association, or other entity or identifiable group of  
8 entities having a coordinated ownership of controlling interest, whether  
9 established for profit or otherwise, that engages in any of the following  
10 activities:

11 (A) Receives a total number of six (6) or more unrelated  
12 minors for care on a twenty-four-hour basis for the purpose of ensuring the  
13 minors receive care, training, education, custody, or supervision, whether or  
14 not there are six (6) or more children cared for at any single physical  
15 location;

16 (B) Places any unrelated minor for care on a twenty-four-  
17 hour basis with persons other than themselves; ~~or~~

18 (C) Plans for or assists in the placements described in  
19 subdivision (8)(B) of this section; or

20 (D) Receives, places, plans or assists in the placement of  
21 a child victim of human trafficking in a home or any type of shelter or  
22 facility;

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24 SECTION 3. Arkansas Code § 20-82-201(a) and (b), concerning the  
25 creation and membership of the Arkansas Child Abuse/Rape/Domestic Violence  
26 Commission, are amended to read as follows:

27 (a) There is ~~hereby~~ created the Arkansas Child Abuse/Rape/Domestic  
28 Violence Commission, to be composed of ~~twenty-five (25)~~ thirty (30) persons  
29 appointed by the Governor for two-year staggered terms and until the  
30 successor is appointed and qualified.

31 (b) The membership of the commission shall consist of the following:

32 (1) A representative of domestic violence programs or domestic  
33 violence service providers in Arkansas;

34 (2) A representative of the Department of Arkansas State Police;

35 (3) A physician specializing in the treatment of child abuse;

36 (4) A prosecuting attorney who is a member of the Arkansas

1 *Prosecuting Attorneys Association;*

2 *(5) A defense attorney;*

3 *(6) A representative of a victim-witness program;*

4 *(7) A representative of the Arkansas Law Enforcement Training*

5 *Academy;*

6 *(8) A representative of education;*

7 *(9) A representative of the Division of Children and Family*

8 *Services of the Department of Human Services;*

9 *(10) A representative of a parents' group;*

10 *(11) A mental health professional specializing in the treatment*  
11 *of child abuse or domestic violence or rape;*

12 *(12) A representative of the Department of Correction Reduction*  
13 *of Sexual Victimization Program;*

14 *(13) A representative of city or county law enforcement;*

15 *(14) A representative of children with disabilities;*

16 *(15) A district judge or circuit judge;*

17 *(16) A chancery judge;*

18 *(17) A representative of the State Crime Laboratory;*

19 *(18) A representative of the Department of Health;*

20 *(19) A representative of rape crisis centers;*

21 *(20) A representative of the Arkansas Hospital Association;*

22 *(21) A representative of the office of the Attorney General;*

23 *(22) Three (3) members at large;*

24 *(23) A court-appointed special advocate representative;*

25 *(24) A guardian ad litem; ~~and~~*

26 *(25) A representative of area health education center programs;*

27 *(26) A faculty member from a four-year college or university*  
28 *with experience in the study of human trafficking or a closely related area*  
29 *of study;*

30 *(27) A representative from the Department of Labor; and*

31 *(28) A healthcare provider experienced in the treatment of human*  
32 *trafficking victims.*

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34 *SECTION 4. Arkansas Code § 20-82-206 is amended to read as follows:*

35 *20-82-206. Child Abuse/Rape/Domestic Violence Section – Powers and*  
36 *duties.*

1           *The Child Abuse/Rape/Domestic Violence Section shall ~~have the authority~~*  
2 *and responsibility to:*

3                   (1) *Administer and disburse funds received through the*  
4 *Children's Justice Act, rape funds received through the preventive health*  
5 *services block grant, and any other federal and grant funds;*

6                   (2) *Receive and expend grants, donations, and funds from public*  
7 *and private sources to carry out its responsibilities;*

8                   (3) *Educate professionals, law enforcement officers, prosecuting*  
9 *attorneys, trial and appellate judges, district judges, Department of Human*  
10 *Services employees, and other victim service providers regarding issues,*  
11 *interventions, and other matters associated with child abuse, rape, and*  
12 *domestic violence;*

13                   (4) *Research, develop, and disseminate resource materials as*  
14 *needed;*

15                   (5) *Facilitate the development of and contract with local*  
16 *multidisciplinary teams throughout the state, the purpose of which is to*  
17 *provide coordinated investigation and service delivery to child victims of*  
18 *severe maltreatment;*

19                   (6) *Authorize local multidisciplinary teams throughout the state*  
20 *to review instances of child deaths involving children ages birth through*  
21 *seventeen (17) years of age;*

22                   (7) *Provide support, coordination, and technical assistance to*  
23 *providers of services for rape, domestic violence, human trafficking, and*  
24 *child abuse victims;*

25                   (8) *Develop a database for use in Arkansas ~~which~~ that addresses*  
26 *information about the effectiveness of treatment programs and other*  
27 *intervention efforts in the areas of domestic violence, child abuse, child*  
28 *sexual abuse, and rape and ~~which~~ that focuses on interventions with victims,*  
29 *families, and perpetrators;*

30                   (9) *Advise the Governor as to the immediate needs and priorities*  
31 *surrounding the issues of child abuse, domestic violence, human trafficking,*  
32 *and rape;*

33                   (10) *Contract and be contracted with;*

34                   (11) *Provide consultation and technical assistance to*  
35 *professionals regarding child abuse, rape, human trafficking, and domestic*  
36 *violence; and*

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*(12) Work with the Area Health Education Center Program of the University of Arkansas for Medical Sciences to research, develop, and disseminate resource materials for regions in the state.*

*SECTION 5. Arkansas Code § 20-82-209(b)(1)(A), concerning multidisciplinary teams of the Arkansas Child Abuse/Rape/Domestic Violence Commission, is amended to read as follows:*

*(1)(A) Prepare and issue a statewide model protocol for local multidisciplinary teams regarding investigations of child abuse and the provision of safety and services to victims of child abuse, which may include child victims of human trafficking.*

*/s/ Irvin*