

4663--A

Cal. No. 639

2013-2014 Regular Sessions

I N S E N A T E

April 17, 2013

Introduced by Sen. SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- reported favorably from said committee, ordered to first and second report, amended on second report, ordered to a third reading, and to be reprinted as amended, retaining its place in the order of third reading

AN ACT to amend the social services law, in relation to the composition of the interagency task force on human trafficking and their meetings; and to amend chapter 74 of the laws of 2007 amending the penal law, the criminal procedure law, the correction law, the social services law, and the executive law relating to human trafficking, in relation to extending the interagency task force on human trafficking

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 483-ee of the social services law, as added by
2 chapter 74 of the laws of 2007, subdivision (a) as amended by section 5
3 of part A-1 of chapter 56 of the laws of 2010, is amended to read as
4 follows:
5 S 483-ee. Establishment of interagency task force on human traffick-
6 ing. (a) There is established an interagency task force on trafficking
7 in persons, which shall consist of the following members or their desig-
8 nees: (1) the commissioner of the division of criminal justice services;
9 (2) the commissioner of the office of temporary and disability assist-
10 ance; (3) the commissioner of health; (4) the commissioner of the office
11 of mental health; (5) the commissioner of labor; (6) the commissioner of
12 the office of children and family services; (7) the commissioner of the
13 office of alcoholism and substance abuse services; (8) the director of
14 the office of victim services; (9) the executive director of the office
15 for the prevention of domestic violence; [and] (10) the superintendent
16 of the division of state police; AND THE FOLLOWING ADDITIONAL MEMBERS,
17 WHO SHALL BE PROMPTLY APPOINTED BY THE GOVERNOR, EACH FOR A TERM OF TWO
18 YEARS, PROVIDED THAT SUCH PERSON'S MEMBERSHIP SHALL CONTINUE AFTER SUCH

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD06522-07-3

1 TWO YEAR TERM UNTIL A SUCCESSOR IS APPOINTED AND PROVIDED, FURTHER, THAT
2 A MEMBER MAY BE REAPPOINTED IF AGAIN RECOMMENDED IN THE MANNER SPECIFIED
3 IN THIS SUBDIVISION: (11) THREE MEMBERS, WHO SHALL BE APPOINTED ON THE
4 RECOMMENDATION OF THE TEMPORARY PRESIDENT OF THE SENATE ONE OF WHICH
5 SHALL HAVE EXPERIENCE PROVIDING SERVICES TO VICTIMS OF HUMAN TRAFFICK-
6 ING; AND (12) THREE MEMBERS, WHO SHALL BE APPOINTED ON THE RECOMMENDA-
7 TION OF THE SPEAKER OF THE ASSEMBLY ONE OF WHICH SHALL HAVE EXPERIENCE
8 PROVIDING SERVICES TO VICTIMS OF HUMAN TRAFFICKING; and others as may be
9 necessary to carry out the duties and responsibilities under this
10 section. The task force will be co-chaired by the commissioners of the
11 division of criminal justice services and the office of temporary and
12 disability assistance, or their designees. It shall meet as often as is
13 necessary, BUT NO LESS THAN THREE TIMES PER YEAR, and under circum-
14 stances as are appropriate to fulfilling its duties under this section.
15 ALL MEMBERS SHALL BE PROVIDED WITH WRITTEN NOTICE REASONABLY IN ADVANCE
16 OF EACH MEETING WITH DATE, TIME AND LOCATION OF SUCH MEETING.

17 (b) The task force shall: (1) collect and organize data on the nature
18 and extent of trafficking in persons in the state; (2) identify avail-
19 able federal, state and local programs that provide services to victims
20 of trafficking, including but not limited to case management, housing,
21 health care, mental health counseling, drug addiction screening and
22 treatment, language interpretation and translation services, English
23 language instruction, job training and placement assistance, post-em-
24 ployment services for job retention, and services to assist the individ-
25 ual and any of his or her family members to establish a permanent resi-
26 dence in New York state or the United States; (3) consult with
27 governmental and non-governmental organizations in developing recommen-
28 dations to strengthen state and local efforts to prevent trafficking,
29 protect and assist victims of trafficking and prosecute traffickers; (4)
30 establish interagency protocols and collaboration between federal,
31 state, and local law enforcement, state and governmental agencies, child
32 welfare agencies, and non-governmental organizations; (5) evaluate
33 approaches to increase public awareness about trafficking and make
34 recommendations on such approaches; (6) evaluate the effectiveness of
35 training programs on human trafficking that have been designed for law
36 enforcement personnel, criminal defense attorneys, social service
37 providers and non-governmental organizations, and make recommendations
38 for improving the quality and effectiveness of such programs; [and] (7)
39 measure and evaluate the progress of the state in preventing traffick-
40 ing, protecting and providing assistance to victims of trafficking, and
41 prosecuting persons engaged in trafficking; AND (8) CONVENE ANY SUBCOM-
42 MITTEE NECESSARY, PROVIDED SUCH SUBCOMMITTEE HAS AT LEAST ONE OF THE
43 MEMBERS APPOINTED BY THE SPEAKER OF THE ASSEMBLY, TEMPORARY PRESIDENT OF
44 THE SENATE OR GOVERNOR, TO CONSIDER SPECIFIC ISSUES, INCLUDING, BUT NOT
45 LIMITED TO: FEDERAL, STATE AND/OR LOCAL COOPERATION; JUVENILES AND HUMAN
46 TRAFFICKING; THE IMPORTANCE OF TRAINING AND WHO SHOULD RECEIVE SUCH
47 TRAINING; HOW DATA IS COMPILED AND SHARED; SERVICES FOR AND TREATMENT OF
48 DOMESTIC VERSUS FOREIGN BORN VICTIMS.

49 (c) [One year from the effective date of this section, or earlier if
50 deemed appropriate, the task force shall report to the governor and the
51 legislature on these issues,] THE TASK FORCE SHALL REPORT TO THE GOVER-
52 NOR, THE SPEAKER OF THE ASSEMBLY, THE MINORITY LEADER OF THE ASSEMBLY,
53 THE TEMPORARY PRESIDENT OF THE SENATE AND THE MINORITY LEADER OF THE
54 SENATE NO LESS THAN ANNUALLY, and it shall [thereafter] ADDITIONALLY
55 issue such reports and recommendations as it deems necessary to carry
56 out its duties and responsibilities.

(D) THE MEMBERS OF THE TASK FORCE SHALL RECEIVE NO SALARY OR OTHER COMPENSATION FOR THEIR SERVICES BUT SHALL BE ENTITLED TO REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES WITHIN AMOUNTS MADE AVAILABLE BY APPROPRIATION THEREFOR SUBJECT TO THE APPROVAL OF THE DIRECTOR OF THE BUDGET. THE INTERAGENCY MEMBERS OF THE TASK FORCE SHALL RECEIVE NO ADDITIONAL COMPENSATION FOR THEIR SERVICES ON THE TASK FORCE ABOVE THE SALARY THEY RECEIVE FROM THE RESPECTIVE DEPARTMENTS OR DIVISIONS THAT EMPLOY THEM.

S 2. Section 14 of chapter 74 of the laws of 2007, amending the penal law, the criminal procedure law, the correction law, the social services law, and the executive law relating to human trafficking, as amended by chapter 24 of the laws of 2011, is amended to read as follows:

S 14. This act shall take effect on the first of November next succeeding the date on which it shall have become a law; provided that section 483-ee of the social services law, as added by section eleven of this act, shall take effect immediately and shall remain in full force and effect until September 1, [2013] 2017 when upon such date the provisions of such section shall expire and be deemed repealed. Provided, effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the timely implementation of the provisions of article 10-D of the social services law, as added by section eleven of this act, on its effective date are authorized to be made on or before such effective date.

S 3. This act shall take effect immediately; provided that the amendments to section 483-ee of the social services law made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith.