**§ 483-bb. Services for victims of human trafficking.** (a) The office of temporary and disability assistance may coordinate with and assist law enforcement agencies and district attorney's offices to access appropriate services for human trafficking victims.

(b) The office of temporary and disability assistance shall enter into contracts with non-government organizations for providing services to victims of human trafficking as defined in subdivision (a) of section four hundred eighty-three-aa of this article. Such services shall be culturally competent, to the extent practicable, and shall include, but are not limited to, case management, emergency temporary housing, health care, mental health counseling, drug addiction screening and treatment, language interpretation and translation services, English language instruction, job training and placement assistance, post-employment services for job retention, and services to assist the individual and any of his or her family members to establish a permanent residence in New York state or the United States. Such services shall also include appropriate voluntary placement in a short-term and/or long-term safe house, as such terms are defined under subdivision (c) or (d) of section four hundred eighty-three-aa of this article. Placement in a safe house shall be available from the initial point of contact between the human trafficking victim and any of the following: law enforcement; a local social services district; or a social or legal services provider. Nothing in this article shall prevent placement in a safe house of a human trafficking victim who is: (1) involved in a proceeding which has not reached final disposition, for the duration of such proceeding; (2) not involved in a pending proceeding; or (3) participating in a program for victims of domestic violence and has been identified as a victim of human trafficking. Nothing in this article shall preclude the office of temporary and disability assistance, or any local social services district, from providing human trafficking victims who are United States citizens or human trafficking victims who meet the criteria pursuant to section one hundred twenty-two of this chapter with any benefits or services for which they otherwise may be eligible.

(c) (i) An individual who is a victim of the conduct prohibited by section 230.33, 230.34, 230.34-a, 135.35 or 135.37 of the penal law may bring a civil action against the perpetrator or whoever knowingly advances or profits from, or whoever should have known he or she was

advancing or profiting from, an act in violation of section 230.33, 230.34, 230.34-a, 135.35 or 135.37 of the penal law to recover actual, compensatory and punitive damages, injunctive relief, any combination of those or any other appropriate relief, as well as reasonable attorney's fees.

(ii) An action brought pursuant to this subdivision shall be commenced within fifteen years of the date on which the trafficking victim was freed from the trafficking situation or, if the victim was a minor when the act of human trafficking against the victim occurred, within fifteen years after the date the victim attains the age of majority.

(iii) If a person entitled to sue is under a disability at the time the cause of action accrues so that it is impossible or impracticable for him or her to bring an action under this subdivision, the time of the disability is not part of the time limited for the commencement of the action. Disability will toll the running of the statute of limitations for this action.

(A) Disability includes being a minor, lacking legal capacity to make decisions, imprisonment, or other incapacity or incompetence.

(B) The statute of limitations shall not run against a victim who is a minor or who lacks the legal competence to make decisions simply because a guardian ad litem has been appointed. A guardian ad litem's failure to bring a victim's action within the applicable limitation period will not prejudice the victim's right to do so after his or her disability ceases.

(C) The perpetrator is estopped from asserting a defense of the statute of limitations when the expiration of the statute is due to conduct by such perpetrator inducing the victim to delay the filing of the action, or due to threats made by the perpetrator causing duress upon the victim.

(D) The suspension of the statute of limitations due to disability, lack of knowledge, or estoppel applies to all other related claims arising out of the trafficking situation.

(E) The running of the statute of limitations is postponed during the pendency of criminal proceedings against the victim.

(iv) The running of the statute of limitations may be suspended if a person entitled to sue could not have reasonably discovered the cause of action due to circumstances resulting from the trafficking situation,

such as psychological trauma, cultural and linguistic isolation, and the inability to access services.

(v) A prevailing victim may also be awarded reasonable attorney's fees and litigation costs including, but not limited to, expert witness fees and expenses as part of the costs.

(vi) Restitution paid by the perpetrator to the victim shall be credited against a judgment, award, or settlement obtained pursuant to an action under this subdivision.

(vii) A civil action filed under this subdivision shall be stayed during the pendency of any criminal action arising out of the same occurrence in which the claimant is the victim. As used in this subdivision, a "criminal action" includes investigation and prosecution, and is pending until a final adjudication in the trial court or dismissal.