

House Amendments to Senate Bill No. 2009

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

39 **SECTION 1.** The following shall be codified as Section
40 45-33-63, Mississippi Code of 1972:

41 45-33-63. (1) Except as otherwise provided in this section,
42 it is unlawful for a person required to register as a sex offender
43 under Section 45-33-25 to do or commit any of the following
44 actions with respect to the victim of the offense triggering the
45 duty to register under this chapter:

46 (a) Threaten, visit, assault, molest, abuse, injure, or
47 otherwise interfere with the victim;

48 (b) Follow the victim, including at the victim's
49 workplace;

50 (c) Harass the victim;

51 (d) Contact the victim by telephone, written
52 communication, or electronic means;

53 (e) Enter or remain present at the victim's residence,
54 school, or place of employment when the victim is present.

55 (2) This section does not apply if the court in which the
56 conviction was had, at the request of the victim or the parent,
57 guardian or conservator of the victim, enters an order allowing
58 contact with the victim. The court may enter such an order if the
59 court determines that reasonable grounds for the victim to fear
60 any future contact with the defendant no longer exist.

61 (3) A violation of this section is a felony punishable by a
62 fine of not more than Five Thousand Dollars (\$5,000.00) and
63 imprisonment in the custody of the Department of Corrections for
64 not less than five (5) nor more than ten (10) years.

65 (4) A law enforcement officer shall arrest and take into
66 custody a person, with or without a warrant or other process, if
67 the officer has probable cause to believe that the person
68 knowingly has violated this section.

69 (5) Nothing in this section shall be construed to affect the
70 issuance or enforcement of a criminal sexual assault protection
71 against a defendant who has been convicted under Section 97-3-65
72 or 97-3-95.

73 (6) This section shall be known as Carly's Law.

74 **SECTION 2.** The Department of Finance and Administration is
75 authorized to contract with Mississippians Against Human
76 Trafficking (MSAHT) for the purpose of establishing a program to
77 fund or administer shelters that provide counseling, medical
78 needs, transitional housing and other related services to victims
79 of human trafficking and victims of commercial sexual exploitation
80 at no charge to the victim. The contract shall be funded from

81 monies in the "Victims of Human Trafficking and Commercial Sexual
82 Exploitation Fund." The Department of Finance and Administration,
83 in consultation with (MSAHT), shall have the authority to
84 promulgate the administrative rules that are necessary and proper
85 to further carry out the purposes of Sections 2 through 5 of this
86 act.

87 **SECTION 3.** (1) There is created in the State Treasury a
88 special fund to be known as the "Victims of Human Trafficking and
89 Commercial Sexual Exploitation Fund." The administration and
90 regulation of the fund shall be vested in the Department of
91 Finance and Administration, in consultation with Mississippians
92 Against Human Trafficking (MSAHT), and shall consist of:

- 93 (a) Monies appropriated by the Legislature;
- 94 (b) The interest accruing to the fund;
- 95 (c) Monies received under the provisions of Section
96 99-19-75;
- 97 (d) Monies received from the federal government;
- 98 (e) Donations to the fund;
- 99 (f) Assessments collected pursuant to Section 83-39-31;
- 100 (g) All other monies received by the state from every
101 source for the support of shelters for victims of human
102 trafficking and commercial sexual exploitation; and
- 103 (h) Monies received from such other sources as may be
104 provided by law.

105 (2) The monies in the fund shall be distributed by the
106 Department of Finance and Administration, upon appropriation by

107 the Legislature and in consultation with MSAHT, to fund and assist
108 human trafficking shelters and commercial sexual exploitation
109 shelters under the provisions of Sections 2 through 5 of this act.
110 Not more than ten percent (10%) of the monies that are provided to
111 MSAHT from the fund may be used by MSAHT for administrative
112 expenses and other expenses related to carrying out the provisions
113 of Sections 2 through 5 of this act.

114 (3) Nothing in Sections 2 through 5 of this act shall be
115 construed to limit the ability of a human trafficking or
116 commercial sexual exploitation shelter from soliciting private
117 donations or community support. Any funds raised by a shelter or
118 program described in Sections 2 through 5 of this act from private
119 donations or community support shall not be subject to the
120 requirements described in Sections 2 through 5 of this act.

121 **SECTION 4.** (1) To qualify for funds under the program
122 established by the Mississippians Against Human Trafficking
123 (MSAHT) under the contract with the Department of Finance and
124 Administration as authorized in Section 2 of this act, a shelter
125 must meet all of the following requirements:

126 (a) Be incorporated in the state or recognized by the
127 Secretary of State as a private or public nonprofit corporation.
128 Such corporation must have a board of directors and/or an advisory
129 committee that represents the racial, ethnic and social economic
130 diversity of the area to be served, including, if possible, at
131 least one (1) person who is or has been a victim of human
132 trafficking and commercial sexual exploitation; and

133 (b) Have designed and developed a program to provide
134 all of the following services to victims of human trafficking and
135 commercial sexual exploitation and their children, if applicable:

136 (i) Shelter on a twenty-four (24) hours a day,
137 seven (7) days a week basis;

138 (ii) A twenty-four (24) hours, seven (7) days a
139 week crisis line for calls;

140 (iii) Temporary housing and food facilities;

141 (iv) Referrals to existing services in the
142 community and follow-up on the out come of the referrals,
143 including, but not limited to, referrals for medical care, legal
144 assistance and alcohol and drug treatment;

145 (v) Information regarding reeducation,
146 trauma-informed therapy, job counseling, and training programs,
147 housing referrals and other available social services; and

148 (vi) An available licensed therapist on a
149 twenty-four (24) hours a day basis.

150 (c) Have established procedures for admission of
151 victims of human trafficking or commercial sexual exploitation who
152 may seek admission to these shelters on a voluntary basis.

153 (2) No human trafficking or commercial sexual exploitation
154 shelter shall qualify for funds from MSAHT under Sections 2
155 through 5 of this act if it discriminates in its admissions or
156 provision of services on the basis of race, religion, color, age,
157 marital status, national origin or ancestry.

158 (3) Any human trafficking or commercial sexual exploitation
159 shelter receiving funds from MSAHT under Sections 2 through 5 of
160 this act must show receipt of local funds in an amount not less
161 than twenty-five percent (25%) of the funds received from MSAHT.
162 The local contribution may include in-kind contributions.

163 (4) A human trafficking and commercial sexual exploitation
164 shelter receiving funds from MSAHT under Sections 2 through 5 of
165 this act shall not be prohibited from accepting gifts, trusts,
166 bequests, grants, endowments, federal funds, other special source
167 funds or transfers of property of any kind for the support of that
168 shelter program.

169 (5) Each human trafficking and commercial sexual
170 exploitation shelter receiving funds from MSAHT under Sections 2
171 through 5 of this act shall:

172 (a) Perform background checks and maintain copies of
173 such for each person employed by or volunteering services to the
174 shelter; and

175 (b) Require persons employed by or volunteering
176 services to the shelter to maintain the confidentiality of any
177 information that would identify individuals served by the shelter.

178 **SECTION 5.** (1) Any employee, contractor, volunteer or agent
179 of a human trafficking or commercial sexual exploitation shelter
180 receiving funds from Mississippians Against Human Trafficking
181 (MSAHT) under Sections 2 through 5 of this act, or of any other
182 entity in possession of information which would tend to identify a
183 victim of human trafficking and commercial sexual exploitation,

184 who makes any observation or comment about the identity or
185 condition of any person admitted to a shelter or receiving
186 services of a shelter, unless directed to do so by an order of a
187 court of competent jurisdiction, shall be civilly liable to the
188 person whose personal information was disclosed in the amount of
189 Ten Thousand Dollars (\$10,000.00), plus any compensatory damages
190 that the individual may have suffered as the result of the
191 disclosure.

192 Any employee, contractor, volunteer or agent of a human
193 trafficking or commercial sexual exploitation shelter receiving
194 funds from MSAHT who makes any observation or comment about the
195 location of a shelter to a person who uses the information to gain
196 unauthorized access to the shelter or any person located in the
197 shelter, unless directed to do so by an order of a court of
198 competent jurisdiction, shall be civilly liable to the shelter in
199 the amount of Ten Thousand Dollars (\$10,000.00), plus any
200 compensatory damages for any losses related to the disclosure of
201 the shelter's location.

202 (2) (a) No employee, contractor, volunteer or agent of a
203 human trafficking and commercial sexual exploitation shelter
204 receiving funds from MSAHT under Sections 2 through 5 of this act
205 shall be compelled to testify in any civil matter, or surrender
206 any documents, files, or other records of the shelter, regarding a
207 victim of human trafficking and commercial sexual exploitation or
208 sexual assault without the consent of the victim, except as
209 provided in paragraph (b) of this subsection.

210 (b) The court shall perform an in-camera review of the
211 materials in possession of any shelter employees, contractors,
212 agents or volunteers to determine if there would be a good cause
213 for allowing disclosure of the materials before such information
214 is released or otherwise given to any attorney or any other
215 officer of the court, or any relative. In deciding on disclosure,
216 the court shall consider the following factors:

217 (i) The materiality of the information to the
218 defense; and

219 (ii) The effect that such disclosure may have on
220 the victim and the victim's relationship with the employee,
221 contractor, volunteer, or agent of the shelter.

222 (3) A resident or staff member of a human trafficking and
223 commercial sexual exploitation shelter receiving funds from MSAHT
224 under Sections 2 through 5 of this act shall not be required to
225 disclose the street address or physical location of that shelter
226 to any public or private agency. In all cases where the provision
227 of a physical address is required, a post office box address for
228 the human trafficking and commercial sexual exploitation shelter
229 shall be deemed sufficient.

230 **SECTION 6.** Section 99-19-75, Mississippi Code of 1972, is
231 amended as follows:

232 99-19-75. (1) In addition to any monetary penalties and any
233 other penalties imposed by law, there shall be imposed and
234 collected from each person upon whom a court imposes a fine or
235 other penalty for any violation of Section 97-3-65, 97-5-1 et seq.

236 or 97-3-7, * * * when committed against a minor, an assessment of
237 One Thousand Dollars (\$1,000.00) to be deposited into the
238 Mississippi Children's Trust Fund created in Section
239 93-21-305, * * * using the procedures described in Section
240 99-19-73 * * *.

241 (2) In addition to any monetary penalties and any other
242 penalties imposed by law, there shall be imposed and collected
243 from each person upon whom a court imposes a fine or other penalty
244 for any violation of Section 97-3-7, 97-3-65, 97-3-95, 97-5-1 et
245 seq., or 97-29-51, when committed against a minor, an assessment
246 of One Thousand Dollars (\$1,000.00) to be deposited into the
247 "Victims of Human Trafficking and Commercial Sexual Exploitation
248 Fund" created in Section 3 of this act.

249 **SECTION 7.** Section 83-39-31, Mississippi Code of 1972, is
250 amended as follows:

251 83-39-31. (1) Upon every defendant charged with a criminal
252 offense who posts a cash bail bond, a surety bail bond, a property
253 bail bond or a guaranteed arrest bond certificate conditioned for
254 his appearance at trial, there is imposed a fee equal to two
255 percent (2%) of the face value of each bond or Twenty Dollars
256 (\$20.00), whichever is greater, to be collected by the clerk of
257 the court when the defendant appears in court for final
258 adjudication or at the time the defendant posts cash bond unless
259 subsection (4) applies.

260 (2) Upon each defendant charged with a criminal offense who
261 is released on his own recognizance, who deposits his driver's

262 license in lieu of bail, or who is released after arrest on
263 written promise to appear, there is imposed a fee of Twenty
264 Dollars (\$20.00) to be collected by the clerk of the court when
265 the defendant appears in court for final adjudication unless
266 subsection (4) applies.

267 (3) Upon each defendant convicted of a criminal offense who
268 appeals his conviction and posts a bond conditioned for his
269 appearance, there is imposed a fee equal to two percent (2%) of
270 the face value of each bond or Twenty Dollars (\$20.00), whichever
271 is greater. If such defendant is released on his own recognizance
272 pending his appeal, there is imposed a fee of Twenty Dollars
273 (\$20.00). The fee imposed by this subsection shall be imposed and
274 shall be collected by the clerk of the court when the defendant
275 posts a bond unless subsection (4) applies.

276 (4) If a defendant is found to be not guilty or if the
277 charges against a defendant are dismissed, or if the prosecutor
278 enters a nolle prosequi in the defendant's case or retires the
279 defendant's case to the file, or if the defendant's conviction is
280 reversed on appeal, the fees imposed pursuant to subsections (1),
281 (2), (3) * * *, (7) and (8) shall not be imposed.

282 (5) The State Auditor shall establish by regulation
283 procedures providing for the timely collection, deposit,
284 accounting and, where applicable, refund of the fees imposed by
285 this section. The Auditor shall provide in the regulations for
286 certification of eligibility for refunds and may require the

287 defendant seeking a refund to submit a verified copy of a court
288 order or abstract by which the defendant is entitled to a refund.

289 (6) It shall be the duty of the clerk or any officer of the
290 court authorized to take bonds or recognizances to promptly
291 collect, at the time such bonds or recognizances are received or
292 taken, all fees imposed pursuant to this section. In all cases,
293 the clerk or officer of the court shall deposit all fees so
294 collected with the State Treasurer, pursuant to appropriate
295 procedures established by the State Auditor, for deposit into the
296 State General Fund.

297 (7) In addition to the fees imposed by this section, there
298 shall be an assessment of Ten Dollars (\$10.00) imposed upon every
299 criminal defendant charged with a criminal offense who posts a
300 cash bail bond, a surety bail bond, a property bail bond or a
301 guaranteed arrest bond to be collected by the clerk of the court
302 and deposited in the Victims of Domestic Violence Fund created by
303 Section 93-21-117, unless subsection (4) applies.

304 (8) In addition to the fees imposed by this section, there
305 shall be an assessment of Ten Dollars (\$10.00) imposed upon every
306 criminal defendant charged with a criminal offense who posts a
307 cash bail bond, a surety bail bond, a property bail bond or a
308 guaranteed arrest bond to be collected by the clerk of the court
309 and deposited in the "Victims of Human Trafficking and Commercial
310 Sexual Exploitation Fund" created in Section 3 of this act, unless
311 subsection (4) of this section applies.

312 **SECTION 8.** Section 43-26-1, Mississippi Code of 1972, is
313 amended as follows:

314 43-26-1. (1) There is hereby created a Mississippi
315 Department of Child Protection Services.

316 (2) The Chief Administrative Officer of the Department of
317 Child Protection Services shall be the Commissioner of Child
318 Protection Services who shall be appointed by the Governor with
319 the advice and consent of the Senate. The commissioner shall
320 possess the following qualifications:

321 (a) A bachelor's degree from an accredited institution
322 of higher learning and ten (10) years' experience in management,
323 public administration, finance or accounting; or

324 (b) A master's or doctoral degree from an accredited
325 institution of higher learning and five (5) years' experience in
326 management, public administration, finance, law or accounting.

327 (3) The Department of Child Protection Services shall be a
328 subagency independent of, though housed within, the Mississippi
329 Department of Human Services. The Commissioner of the Department
330 of Child Protection Services shall maintain complete and exclusive
331 operational control of the Department of Child Protection
332 Services' functions, except functions shared with the Department
333 of Human Services as provided in subsection (5) (c) and (d) of this
334 section.

335 (4) The Commissioner of Child Protection Services may assign
336 to the appropriate offices such powers and duties deemed

337 appropriate to carry out the lawful functions of the programs
338 transferred to the department under Chapter 494, Laws of 2016.

339 (5) The Commissioner of Child Protection Services and the
340 Executive Director of the Department of Human Services shall
341 develop and implement a plan for the orderly establishment of the
342 Department of Child Protection Services and its transition from
343 the Office of Family and Children's Services of the Department of
344 Human Services. The plan shall:

345 (a) Describe a mechanism for the transfer of any
346 equipment, supplies, records, furnishings or other materials,
347 resources or funds dedicated to the operation of the Office of
348 Family and Children's Services of the Department of Human
349 Services, which may be useful to the Department of Child
350 Protection Services;

351 (b) Determine the allocation of resources between the
352 newly created Department of Child Protection Services and the
353 Department of Human Services, as practicable;

354 (c) Determine the allocation of functions where the
355 performance of services may be shared between the Department of
356 Child Protection Services and other employees of the Department of
357 Human Services, as practicable;

358 (d) Determine whether any administrative support
359 services, such as Information Technology Services, bookkeeping and
360 payroll, can continue to be provided by the Department of Human
361 Services; and

362 (e) Identify other areas deemed relevant by the
363 commissioner and make recommendations thereon to achieve an
364 orderly transition.

365 (6) The programs and services provided by the Office of
366 Family and Children's Services of the Department of Human Services
367 under the following statutes shall be provided by the Department
368 of Child Protection Services: Sections 41-87-5, 41-111-1, 43-1-2,
369 43-1-51, 43-1-55, 43-1-57, 43-1-63, 43-15-3, 43-15-5, 43-15-6,
370 43-15-13, 43-15-15, 43-15-17, 43-15-19, 43-15-21, 43-15-23,
371 43-15-51, 43-15-103, 43-15-105, 43-15-115, 43-15-125, 43-15-201,
372 43-15-203, 43-15-207 and 43-18-3, Mississippi Code of 1972.

373 (7) The PEER Committee shall review the programs or program
374 of the Mississippi Department of Child Protection Services,
375 beginning with fiscal year 2017 and each year thereafter. PEER
376 shall submit this review to the Chair of the Senate Public Health
377 and Welfare Committee, the Chair of the Senate Appropriations
378 Committee, the Chair of the House Public Health and Human Services
379 Committee, the Chair of the House Appropriations Committee, the
380 Lieutenant Governor, the Speaker of the House of Representatives,
381 and the Governor by December 1 of each year. The review shall
382 consist of the following:

383 (a) A review of the effectiveness of any program of the
384 department for which appropriated outcome measures have been
385 established;

386 (b) Caseloads for social workers for each county or
387 another appropriate geographic area;

388 (c) Turnover rates of social worker staff by county or
389 other geographic area;

390 (d) Sources and uses of department funding; and

391 (e) Any other matters that the PEER Committee considers
392 to be pertinent to the performance of agency programs.

393 (8) (a) The Commissioner of Child Protection Services shall
394 hire a Coordinator of Services for Victims of Human Trafficking
395 and Commercial Sexual Exploitation within the Department of Child
396 Protection Services whose duties shall include, but not be limited
397 to, the following:

398 (i) To create multidisciplinary teams within the
399 Department of Child Protection Services on an as-needed basis to
400 act as emergency, separate and specialized human trafficking and
401 commercial sexual exploitation multidisciplinary teams to rapidly
402 respond to the needs of children who are victims of human
403 trafficking and commercial sexual exploitation;

404 (ii) To identify victims of human trafficking and
405 commercial sexual exploitation;

406 (iii) To monitor, record and distribute federal
407 human trafficking funds received by the Department of Child
408 Protection Services;

409 (iv) To employ staff to investigate allegations of
410 human trafficking and commercial sexual exploitation; and

411 (v) To develop and coordinate services within the
412 Department of Child Protection Services to help victims of human
413 trafficking and commercial sexual exploitation.

414 (b) The Commissioner of Child Protection Services shall
415 develop standard operating procedures for the investigation,
416 custody and services provided to alleged victims of human
417 trafficking and commercial sexual exploitation.

418 **SECTION 9.** The following shall be codified as Section
419 43-26-3, Mississippi Code of 1972:

420 43-26-3. (1) The Department of Child Protection Services,
421 within twenty-four (24) hours of receiving a report of child
422 abuse, human trafficking of a child or commercial sexual
423 exploitation of a child that is located in this state, in addition
424 to the department's duties under Section 43-21-353, shall:

425 (a) Interview the child in person;

426 (b) Attempt to have an on-site interview with the
427 child's caretaker;

428 (c) Attempt to have law enforcement or an appropriate
429 investigator conduct an on-site interview with the child's alleged
430 abuser; and

431 (d) Document and assess the safety of other children in
432 the care or custody of the caretaker and alleged abuser.

433 (2) For purposes of this section, the term "Sexual Assault
434 Nurse Examiner" means a registered nurse who has received a
435 documented forty (40) hours of training as a Sexual Assault Nurse
436 Examiner. If the child is suspected to be a victim of human
437 trafficking or commercial sexual exploitation, the Coordinator of
438 Services for Victims of Human Trafficking and Commercial Sexual
439 Exploitation shall activate an emergency, separate and specialized

440 human trafficking and commercial sexual exploitation
441 multi-disciplinary team. The team shall include, at a minimum:
442 (a) an investigator certified by the Mississippi Human Trafficking
443 Operational Task Force Board in collaboration with MSAHT, (b) an
444 investigator from the Department of Child Protection Services, and
445 (c) a person certified by the MSAHT as an advocate for victims of
446 human trafficking and commercial sexual exploitation. Such
447 emergency multidisciplinary team shall be created without
448 authorization of the youth court.

449 (3) Any person under eighteen (18) years of age taken into
450 custody under the provisions of Section 97-29-49 shall be presumed
451 a victim of human trafficking and commercial sexual exploitation.

452 **SECTION 10.** Section 43-15-51, Mississippi Code of 1972, is
453 amended as follows:

454 43-15-51. (1) The district attorneys, the Department of
455 Human Services or the Department of Child Protection Services may
456 initiate formal cooperative agreements with the appropriate
457 agencies to create multidisciplinary child protection teams in
458 order to implement a coordinated multidisciplinary team approach
459 to intervention in reports involving alleged commercial sexual
460 exploitation, human trafficking, or severe or potential felony
461 child physical or sexual abuse, exploitation, or maltreatment.
462 The multidisciplinary team also may be known as a child abuse task
463 force. The purpose of the team or task force shall be to assist
464 in the evaluation and investigation of reports and to provide
465 consultation and coordination for agencies involved in child

466 protection cases. The agencies to be included as members of the
467 multidisciplinary team are: the district attorney's office, city
468 and county law enforcement agencies, county attorneys, youth court
469 prosecutors, the Human Trafficking Coordinator or his or her
470 designee and other agencies as appropriate. The Department of
471 Child Protection Services shall be included as a member of the
472 multidisciplinary team if the department does not initiate
473 creation of the team.

474 (2) Except as otherwise provided in Section 43-26-3, to
475 implement the multidisciplinary child abuse team, the team or task
476 force must be authorized by court order from the appropriate youth
477 court. The court order will designate which agencies will
478 participate in the cooperative multidisciplinary team.

479 (3) (a) Teams created under this section may invite other
480 persons to serve on the team who have knowledge of and experience
481 in child abuse and neglect and commercial sexual exploitation and
482 human trafficking matters. These persons may include licensed
483 mental and physical health practitioners and physicians, dentists,
484 representatives of the district attorney's office and the Attorney
485 General's office, experts in the assessment and treatment of
486 substance abuse or sexual abuse, the victim assistance coordinator
487 of the district attorney's office, staff members of a child
488 advocacy center, sexual assault nurse examiners and experts in
489 providing services to commercial sexual exploitation and human
490 trafficking victims.

491 (b) (i) A child advocacy center means an agency that
492 advocates on behalf of children alleged to have been abused and
493 assists in the coordination of the investigation of child abuse by
494 providing a location for forensic interviews and promoting the
495 coordination of services for children alleged to have been abused.
496 A child advocacy center provides services that include, but are
497 not limited to, forensic medical examinations, mental health and
498 related support services, court advocacy, consultation, training
499 for social workers, law enforcement training, and child abuse
500 multidisciplinary teams, and staffing of multidisciplinary teams.

501 (ii) Child advocacy centers may provide a
502 video-taped forensic interview of the child in a child friendly
503 environment or separate building. The purpose of the video-taped
504 forensic interview is to prevent further trauma to a child in the
505 investigation and prosecution of child physical and sexual abuse
506 cases. Child advocacy centers can also assist child victims by
507 providing therapeutic counseling subsequent to the interview by a
508 qualified therapist. Child advocacy centers can also assist law
509 enforcement and prosecutors by acquainting child victim witnesses
510 and their parents or guardians to the courtroom through child
511 court school programs.

512 (4) A team or task force created under this section shall
513 review records on cases referred to the team by the Department
514 of * * * Child Protection Services or law enforcement or the
515 district attorney's office. The team shall meet at least monthly.

516 (5) No person shall disclose information obtained from a
517 meeting of the multidisciplinary team unless necessary to comply
518 with * * * the Department of Child Protection Services regulations
519 or conduct and proceeding in youth court or criminal court
520 proceedings or as authorized by a court of competent jurisdiction.

521 **SECTION 11.** This act shall take effect and be in force from
522 and after July 1, 2020.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO ENACT "CARLY'S LAW"; TO CREATE NEW SECTION
2 45-33-63, MISSISSIPPI CODE OF 1972, TO PROHIBIT FUTURE CONTACT
3 WITH THE CRIME VICTIM BY A CONVICTED SEX OFFENDER; TO AUTHORIZE
4 THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO CONTRACT WITH
5 MISSISSIPPIANS AGAINST HUMAN TRAFFICKING FOR THE PURPOSE OF
6 ESTABLISHING A PROGRAM TO PROVIDE COUNSELING, MEDICAL NEEDS,
7 TRANSITIONAL HOUSING AND OTHER RELATED SERVICES TO VICTIMS OF
8 HUMAN TRAFFICKING AND COMMERCIAL SEXUAL EXPLOITATION THROUGH
9 SHELTERS ESTABLISHED TO SERVE SUCH VICTIMS AT NO CHARGE TO THE
10 VICTIM; TO CREATE THE "VICTIMS OF HUMAN TRAFFICKING AND COMMERCIAL
11 SEXUAL EXPLOITATION FUND" AS A SPECIAL FUND IN THE STATE TREASURY;
12 TO PROVIDE THAT MONIES IN THE FUND SHALL BE DISTRIBUTED BY THE
13 DEPARTMENT OF FINANCE AND ADMINISTRATION AND MISSISSIPPIANS
14 AGAINST HUMAN TRAFFICKING TO FUND AND ASSIST HUMAN TRAFFICKING AND
15 COMMERCIAL SEXUAL EXPLOITATION SHELTERS; TO PROVIDE THE
16 REQUIREMENTS THAT SHELTERS MUST MEET TO QUALIFY FOR FUNDS UNDER
17 THE PROGRAM; TO AMEND SECTIONS 99-19-75 AND 83-39-31, MISSISSIPPI
18 CODE OF 1972, TO CREATE CERTAIN ASSESSMENTS TO PROVIDE MONIES TO
19 BE DEPOSITED INTO THE FUND; TO AMEND SECTION 43-26-1, MISSISSIPPI
20 CODE OF 1972, TO REQUIRE THE COMMISSIONER OF CHILD PROTECTION
21 SERVICES TO HIRE A COORDINATOR OF SERVICES FOR VICTIMS OF HUMAN
22 TRAFFICKING AND COMMERCIAL SEXUAL EXPLOITATION WITHIN THE
23 DEPARTMENT OF CHILD PROTECTION SERVICES; TO REQUIRE THE
24 COMMISSIONER OF CHILD PROTECTION SERVICES TO DEVELOP STANDARDS FOR
25 THE INVESTIGATION, CUSTODY AND CARE FOR VICTIMS OF HUMAN
26 TRAFFICKING AND COMMERCIAL SEXUAL EXPLOITATION; TO PROVIDE THE
27 DUTIES FOR THE COORDINATOR OF SERVICES FOR VICTIMS OF HUMAN
28 TRAFFICKING AND COMMERCIAL SEXUAL EXPLOITATION; TO CREATE NEW
29 SECTION 43-26-3, MISSISSIPPI CODE OF 1972, TO REQUIRE THE
30 DEPARTMENT OF CHILD PROTECTION SERVICES TO FOLLOW CERTAIN
31 PROCEDURES WHEN RESPONDING TO ALLEGATIONS OF CHILD ABUSE, HUMAN
32 TRAFFICKING AND COMMERCIAL SEXUAL EXPLOITATION; TO REQUIRE CERTAIN

33 PERSONS TO BE PLACED ON AN EMERGENCY, SEPARATE AND SPECIALIZED
34 MULTIDISCIPLINARY TEAM CREATED BY THE COORDINATOR OF SERVICES FOR
35 VICTIMS OF HUMAN TRAFFICKING AND COMMERCIAL SEXUAL EXPLOITATION;
36 TO AMEND SECTION 43-15-51, MISSISSIPPI CODE OF 1972, TO CONFORM TO
37 THE PRECEDING SECTIONS; AND FOR RELATED PURPOSES.

HR31\SB2009A.1J

Andrew Ketchings
Clerk of the House of Representatives