

**SENATE APPROPRIATIONS COMMITTEE  
FISCAL NOTE**

**BILL NO.** Senate Bill 554

**PRINTER NO.** 613

**AMOUNT**

No Fiscal Impact

**FUND**

General Fund  
Motor License Fund

**DATE INTRODUCED**

March 24, 2017

**PRIME SPONSOR**

Senator Greenleaf

**DESCRIPTION AND PURPOSE OF BILL**

**SYNOPSIS:**

Senate Bill 554 amends Title 18 (Crimes and Offenses) and Title 42 (Judiciary and Judicial Procedure) to address the procedures applicable to victims of human trafficking who are encountered by law enforcement officers.

**SUMMARY:**

Defines "sexually exploited child" as any person under 18 years of age who has been subject to sexual exploitation because the person:

1. is a victim of human trafficking; or
2. is a victim of an offense committed under 18 U.S.C. § 1591 (relating to sex trafficking of children or by force, fraud or coercion.)

Repeals section 3053 of Title 18 (relating to appropriate implementation for minor victims of human trafficking.)

**TATTOO REMOVAL:**

Adds a new section 3056 to Title 18 that provides relief in the form of reimbursement for the covering up or removal of tattoos applied by traffickers with an identifying mark. The reimbursement occurs only if the tattoo removal costs \$100 or more to be paid out of the Safe Harbor for Sexually Exploited Children Fund (Fund). No reimbursement may exceed \$1,000 per individual. If any expenses related to tattoo removal are subsequently covered by restitution or the proceeds of insurance or a civil suit, the claimant shall reimburse the Fund for the full amount of the tattoo removal expenses.

# SENATE APPROPRIATIONS COMMITTEE

## FISCAL NOTE

### **SAFE HARBOR FOR SEXUALLY EXPLOITED CHILDREN:**

Establishes the general rule that a law enforcement officer must report to the Department of Human Services (DHS) any instance where a child under the age of 18 is engaged in prostitution or prostitution-related offenses, is a victim of human trafficking, or is otherwise suspected of being a sexually exploited child.

Requires DHS to develop a statewide protocol and, in conjunction with county agencies, coordinate specialized services for sexually exploited children. The specialized services must include safe and stable housing, access to education, employment and life-skills training, trauma therapy, counseling, treatment for addictions, medical and dental care, and access to personal care items.

DHS must ensure that providers of the specialized programs and services receive sufficient training and understand the unique circumstances surrounding the victimization of sexually exploited children.

Requires the Municipal Police Officers' Education and Training Commission and the Pennsylvania State Police to provide training on methods to identify and interview a sexually exploited child.

Establishes the Safe Harbor for Sexually Exploited Children Fund (Fund) in the State Treasury to be administered by DHS. Requires the Fund to be used for victim services and to finance a public awareness campaign to reduce demand for sex trafficking. Imposes monetary assessments on offenders who are convicted of trafficking offenses which shall be paid into the Fund.

Amends Title 18, Sections 5902 (relating to prostitution and related offenses) and 5507 (relating to obstructing highways and other public passages) to create a safe harbor for underage victims of human trafficking. After a reasonable detention for investigative purposes, a child victim of human trafficking who is suspected of or charged with these offenses will be immune from prosecution and may not be jailed, fined, or charged.

### **DEPENDENCY IN LIEU OF DELINQUENCY:**

If a sexually exploited child commits certain offenses, the child will be referred to a county agency for dependency proceedings instead of facing charges immediately in the juvenile justice system. Those offenses are criminal trespass, disorderly conduct, loitering and prowling at night time, false identification to law enforcement officials, and simple possession of a controlled substance. If treatment and social services are unsuccessful while the dependency petition is open, as evidenced by the child's behavior, and the county agency believes that juvenile justice services are necessary, the child's case will be referred to the county juvenile probation department or the District Attorney's office. Upon the final discharge from supervision, the child's court records will be expunged.

# SENATE APPROPRIATIONS COMMITTEE

## FISCAL NOTE

Effective Date: 60 days.

### **FISCAL IMPACT:**

SB 554 will have no additional fiscal impact on the Department of Human Services. Based upon statistics from the National Human Trafficking Resource Center, there is a four-year Pennsylvania average of 28 minor victims every year that were victims of human trafficking. The Federal Preventing Sex Trafficking and Strengthening Families Act requires Title IV-E agencies to develop policies and procedures to identify, document, and determine appropriate services for children under the placement, care, or supervision of a child welfare agency and who are at risk of becoming sex trafficking victims or who are victims of sex trafficking.

Monies deposited in the Safe Harbor for Sexually Exploited Children Fund will be dependent on the number of offenders convicted of a human trafficking offense, future appropriations by the General Assembly and the possible receipt of federal funds.

According to the Pennsylvania State Police, the Bureau of Training and Education estimates a cost of \$10,000 in salary and benefits for members to develop a one-hour training module on the subjects of human trafficking and identifying sexually exploited children. This cost would also include filming, narration and editing. The training module would then be disseminated through the Learning Management System to all Troopers of the Pennsylvania State Police. A "one-hour" salary and benefit cost for these Troopers is estimated at \$366,750.

It's assumed that the Municipal Police Officers' Education & Training Commission (MPOETC) would utilize the same training module for the Commonwealth's municipal police officers.

The estimated costs mentioned above are deminimis and are able to be absorbed within existing fiscal resources of the Pennsylvania State Police.