

## NEVADA COALITION TO END DOMESTIC AND SEXUAL VIOLENCE 2019 LEGISLATIVE PRIORITY LIST OF SIGNED LEGISLATION

### DOMESTIC VIOLENCE

2019 Legislative bills effecting domestic violence laws and statutes.

#### Assembly Bill 19

- **Summary:** AB 19 increases the time frame for extended protection orders from up to 1 year to up to 2 years. The bill requires law enforcement officers to try and serve the adverse party in person, if the adverse party cannot be served, the law enforcement officer can leave a notice at the adverse party's residence. After three attempts to serve the adverse party, law enforcement may serve the notice at the adverse party's place of employment. This bill also increases the penalty for intentionally violating an extended protection order to a misdemeanor if the person has never previously violated an order or protection, to a gross misdemeanor if the person has previously violated an order of protection, or a category D felony if the person has previously violated the order of protection two or more times. The bill also changes the Repository for Information Concerning Orders for Protection Against Domestic Violence to the Repository for Information Concerning Orders for Protection and requires the repository to maintain records of all temporary and extended orders for protection against stalking, aggravated assault or harassment as well as temporary and extended orders for protection of sexual assault.
- **Origin/Author:** Assembly Committee on Judiciary on behalf of the Attorney General
- **Position:** Support
- **Effective Date:** July 1, 2019

#### Assembly Bill 41

- **Summary:** AB41 requires additional governmental entities and utility providers to accept fictitious addresses as part of the Confidential Address Program. Unless required by federal, state or local law, or unless service is impossible without maintaining the confidential address program, governmental entities or utility service providers shall not maintain a record of the confidential address of the participants. If record of the confidential address is maintained, the address of the participants may only be used to the extent required by law or as necessary to provide a utility service.

- **Origin/Author:** Assembly Committee on Judiciary on behalf of the Attorney General
- **Position:** Support
- **Effective Date:** July 1, 2019

### [Assembly Bill 60](#)

\*This bill appears in more than one section.

- **Summary:** AB 60 adds coercion, burglary, home invasion and pandering to the list of unlawful acts which constitute domestic violence. The bill also removes siblings, unless siblings are in custodial or guardianship relationship, and cousins from the definition of domestic violence. Peace officers may arrest a person, whether or not a warrant has been issued, if the officer has probably cause to believe that within the preceding 24 hours, the person committed a battery upon a person who they are actually residing with, a sibling, if the person is not the custodian or guardian of the sibling, or a cousin if the person is not a custodian or guardian of the cousin.

If an individual is convicted of domestic violence, the court will require them to pay a \$35 fee which will be deposited into the Account for Programs Related to Domestic Violence. If an individual is subject to a term of imprisonment, the individual has to serve their periods of confinement in not less than 12 consecutive hours and at time when a person is not required to be his or her place of employment or on a weekend.

This bill also increases the penalties for domestic violence if the domestic battery is committed against a pregnant victim. The first offense is a gross misdemeanor, the second and any subsequent offense if punishable by a Category B felony. If a person is convicted of domestic battery which causes substantial bodily harm, the individual is guilty of a Category B felony.

- **Origin/Author:** Assembly Committee on Judiciary on behalf of the Attorney General
- **Position:** Support
- **Effective Date:** July 1, 2019

### [Assembly Bill 134 \(NCEDSV REQUESTED\)](#)

\*This bill appears in more than once section.

- **Summary:** AB 134 revises the definition of 'victim's advocate' to include a person who works for a program on a university, state college or community college within the Nevada System of Higher Education or program of a tribal organization which provides services to victims of domestic violence, sexual assault, human trafficking or stalking.

- **Origin/Author:** Assemblywoman Shea Backus
- **Position:** Support
- **Effective Date:** July 1, 2019
- **NCEDSV Testimony:** [Assembly Judiciary](#), [Senate Judiciary](#)

### [Assembly 216](#)

\*This bill appears in more than once section.

- **Summary:** AB216 requires the State Treasurer to establish a statewide database containing information regarding funding sources for higher education. The bill also requires the Office of the Attorney General to create a program that connects victims of domestic violence and human trafficking to the information contained in the database.
- **Origin/Author:** Assemblywoman Jill Tolles
- **Position:** Support
- **Effective Date:** July 1, 2019

### [Assembly Bill 336](#)

\*This bill appears in more than once section.

- **Summary:** AB336 codifies federal law and the U Visa certification process in Nevada. The bill requires all federally recognized certifying agents to certify requests for I-918, Supplement B forms as long as they are victims of applicable crimes, and have been determined as being helpful, was helpful, or is likely to be helpful in the investigation. Certifying agencies have to process the certification within 90 days after the request is made, unless the victim is 20 years of age and in the process of being deported, then the certification must be processed within 14 days. Certifying agents cannot withhold certifications, disclose the immigration status of a petitioner unless mandated by federal law or court order, or withdraw certification unless the victim refuses to provide assistance in the investigation. Annually, all certifying agents shall report to the Legislative Counsel Bureau the number of requests received, the number of certifications complete, the number of certifications denied, and for each denial, the reasons for that denial.
- **Origin/Author:** Assemblyman Flores
- **Position:** Support
- **Effective Date:** July 1, 201
- **NCEDSV Testimony:** [Assembly Judiciary](#)

### Assembly Bill 410

\*This bill appears in more than once section.

- **Summary:** AB410 increases the time frame for temporary orders of protection against domestic violence, stalking, aggravated stalking or harassment from 30 to 45 days.
- **Origin/Author:** Assemblywoman Lisa Krasner
- **Position:** Support
- **Effective Date:** October 1, 2019

### Assembly Bill 422

\*This bill appears in more than one section.

- **Summary:** AB 422 requires certain determinations to be considered when deciding whether a material witness should be detained or continued to be detained. Material witnesses who are victims of domestic violence or sexual assault must appear before a magistrate no later than 24 hours after being detained, determinations can be made over the phone. A judge or magistrate must appoint an attorney for victims of sexual assault or domestic violence who have been detained.
- **Origin/Author:** Assembly Committee on Judiciary
- **Position:** Support as amended
- **Effective Date:** October 1, 2019

### Assembly Bill 534

\*This bill appears in more than one section.

- **Summary:** AB 534 makes various changes to the Victims of Crime Compensation Program. AB 534 transfers the Victims of Crime Compensation Program from the Department of Administration and the State board of Examiners to the Department of Health and Human Services. The Department of Health and Human Services shall develop a State Plan for Services for Victims, shall make any forms used to be inclusive and available online, and shall develop a survey to determine the effectiveness of the methods provided to victims for compensation. Victim compensation officers shall award compensation unless the injury or death of the victim was substantially attributable to the victim's actions. AB 534 also changes the requirements for victim eligibility for compensation. Victim now means a person who is injured or killed as the direct result of a criminal act. It no longer requires that the victim be physically injured.
- **Origin/Author:** Assembly Committee on Judiciary
- **Position:** Support

- **Effective Date:** Sections 1, 5, 6 which transfer the VOCP to the Department of Health and Human Services and creates the State Plan become effective July 1, 2020. Sections 2, 3, 4, 8-14 which make changes to compensation approval become effective June 14, 2019.

### Senate Bill 97

\*This bill appears in more than one section.

- **Summary:** SB 97 eliminates the gay and trans panic defense. Perpetrators cannot claim that their provocation, state of passion, or violence was reasonable because of their learned knowledge or discovery about the perceived sexual orientation or gender identity or expression of the victim.
- **Origin/Author:** Senate Committee on Judiciary on behalf of the Nevada Youth Legislature
- **Position:** Support
- **Effective Date:** October 1, 2019
- **NCEDSV Testimony:** [Senate Judiciary](#), [Assembly Judiciary](#)

### Senate Bill 143

- **Summary:** AB 143 enacts the The Background Check Initiative which was voted on in the 2016 General Election. The bill requires that an unlicensed person shall not sell or transfer a firearm to another unlicensed person unless a licensed dealer conducts a background check on the buyer or transferee. If the background check indicates that the buyer or transferee is ineligible to purchase or possess a firearm, the licensed dealer shall return the firearm back to the seller or transferee.  
A licensed dealer may charge a reasonable fee for conducting a background check and facilitating a firearm transfer amongst unlicensed individuals. Background checks do not need to be conducted if the sale or transfer is to any law enforcement agency, between immediate family, or is of an antique firearm.  
Any unlicensed person who sells or voluntarily transfers one or more firearms in violation of The Background Check Act, is guilty of a misdemeanor for a first offense, and a category C felony for a second or subsequent offense.
- **Origin/Author:** Senator Atkinson
- **Position:** Support
- **Effective Date:** January 2, 2020
- **NCEDSV Testimony:** [Senate Judiciary](#)

### Senate Bill 218

- **Summary:** SB 218 prohibits the court from considering any other factors besides whether the petitioner was a victim of domestic violence when determining whether or not to grant an order of protection. The bill also increases penalties for intentionally violating extended orders of protection. The first violation, the person is guilty of a misdemeanor. The second offense is guilty of a gross misdemeanor, and the third offense is guilty of a category D felony. A person who has been previously convicted of domestic violence with use of a deadly weapon is guilty of a category B felony.
- **Origin/Author:** Senator Nicole Cannizzaro
- **Position:** Support
- **Effective Date:** October 1, 2019

## SEXUAL ASSAULT

2019 Legislative bills effecting sexual assault laws and statutes.

### Assembly Bill 16

- **Summary:** AB 16 allows for warrants that provide for the collection of a biological specimen from a person to be executed and returned within 6 months after its date. Current law requires that search warrants may be executed and returned within 10 days after its date.
- **Origin/Author:** Assembly Committee on Judiciary
- **Position:** Support
- **Effective Date:** October 1, 2019

### Assembly Bill 124

- **Summary:** AB124 requires the Division of Public and Behavioral Health of the Department of Health and Human Services to establish a working group to develop a pamphlet which contains written, medically accurate information. The pamphlet must contain information about emergency contraception, prophylactic medication to prevent STI's, STI testing, and community resources. All victims of sexual assault who visit an emergency room or an emergency clinic must be given the informational brochure.
- **Origin/Author:** Assemblywoman Connie Munk
- **Position:** Support
- **Effective Date:** Becomes effective upon passage and approval for the purpose of adopting regulations and performing administrative tasks. Effective January 1, 2020.

- **NCEDSV Testimony:** [Assembly Health and Human Services](#), [Senate Health and Human Services](#).

### **Assembly Bill 134 (NCEDSV REQUESTED)**

\*This bill appears in more than one section.

- **Summary:** AB 134 revises the definition of ‘victim’s advocate’ to include a person who works for a program on a university, state college or community college within the Nevada System of Higher Education or program of a tribal organization which provides services to victims of domestic violence, sexual assault, human trafficking or stalking.
- **Origin/Author:** Assemblywoman Shea Backus
- **Position:** Support
- **Effective Date:** July 1, 2019
- **NCEDSV Testimony:** [Assembly Judiciary](#), [Senate Judiciary](#)

### **Assembly Bill 142**

- **Summary:** AB 142 eliminates the statute of limitations for the prosecution of sexual assault if there was DNA evidence collected.
- **Origin/Author:** Assemblywoman Lisa Krasner
- **Position:** Support
- **Effective Date:** July 1, 2019

### **Assembly Bill 176**

- **Summary:** AB176 enacts the Sexual Assault Survivors Bill of Rights. The bill of rights attaches whenever a survivor is subject to a forensic medical exam, an interview by a law enforcement official or prosecutor, and the survivor retains the rights regardless if they agree to participate in the legal or criminal justice system, speak to a law enforcement official or prosecutor, or consents to a forensic medical exam.

Survivors have the right to consult with an advocate or designate an attendant during a medical exam or an interview. If the survivor is a minor, the law enforcement official or prosecutor may exclude the attendant from the interview if they believe it will interfere with a successful investigation. A survivor has the right to have counsel present during any forensic exam, investigation, interview or other interactions with representatives of the legal or criminal justice system.

A survivor retains the right to a prompt genetic marker analysis and has the right to know if the DNA yielded a match with another kit or with a person already in CODIS.

The Office of the Attorney General shall develop a document that explains the rights that a survivor has. This document must be shared with the survivor during their interactions with law enforcement officials, medical forensic examiners, or prosecutors. The bill establishes the Advisory Committee on the Rights of Survivors of Sexual Assault. The committee is tasked with researching and making recommendations around the need for additional services within the state, what rights need to be expanded, and collecting data on sexual assault.

The Office of the Attorney General shall be appropriated from the State General Fund, \$300,000 over the biennium to be awarded to organizations so they may recruit, and train sexual assault advocates.

- **Origin/Author:** Assemblyman Steve Yeager; co-sponsored Senator Nicole Cannizarro
- **Position:** Support
- **Effective Date:** Sections 40.5 and 41.5 awarding \$300,000 for sexual assault programs becomes effective July 1, 2019. Sections 1 through 36 establishing the Sexual Assault Bill of Rights becomes effective upon passage and approval for adopting regulations, January 1, 2020 for all other purposes. Section 37, 38, 39 establishing the Sexual Assault Advisory Committee become effective January 2, 2021.
- **NCEDSV Testimony:** [Senate Judiciary](#)

#### [Assembly Bill 248](#)

- **Summary:** AB 248 prohibits settlement agreements from containing provisions that prohibit or restrict a party from disclosing certain information relating to a sexual offense or discrimination on the bases of sex. The bill also allows the claimant of the agreement to request that their identity is shielded from public disclosure. The bill exempts settlement agreements that result in successful mediation or conciliation by the Nevada Equal Rights Commission.
- **Origin/Author:** Assemblyman Frierson
- **Position:** Neutral
- **Effective Date:** July 1, 2019

#### [Assembly Bill 336](#)

\*This bill appears in more than one section.

- **Summary:** AB336 codifies federal law and the U Visa certification process in Nevada. The bill requires all federally recognized certifying agents to certify requests for I-918, Supplement B forms as long as they are victims of



applicable crimes, and have been determined as being helpful, was helpful, or is likely to be helpful in the investigation.

Certifying agencies have to process the certification within 90 days after the request is made, unless the victim is 20 years of age and in the process of being deported, then the certification must be processed within 14 days.

Certifying agents cannot withhold certifications, disclose the immigration status of a petitioner unless mandated by federal law or court order, or withdraw certification unless the victim refuses to provide assistance in the investigation.

Annually, all certifying agents shall report to the Legislative Counsel Bureau the number of requests received, the number of certifications complete, the number of certifications denied, and for each denial, the reasons for that denial.

- **Origin/Author:** Assemblyman Flores
- **Position:** Support
- **Effective Date:** July 1, 201
- **NCEDSV Testimony:** [Assembly Judiciary](#)

#### [Assembly Bill 422](#)

\*This bill appears in more than one section.

- **Summary:** AB 422 requires certain determinations to be considered when deciding whether a material witness should be detained or continued to be detained. Material witnesses who are victims of domestic violence or sexual assault must appear before a magistrate no later than 24 hours after being detained, determinations can be made over the phone. A judge or magistrate must appoint an attorney for victims of sexual assault or domestic violence who have been detained.
- **Origin/Author:** Assembly Committee on Judiciary
- **Position:** Support as amended
- **Effective Date:** October 1, 2019

#### [Assembly Bill 534](#)

\*This bill appears in more than one section.

- **Summary:** AB 534 makes various changes to the Victims of Crime Compensation Program. AB 534 transfers the Victims of Crime Compensation Program from the Department of Administration and the State board of Examiners to the Department of Health and Human Services. The Department of Health and Human Services shall develop a State Plan for Services for Victims, shall make any forms used to be inclusive and available online, and shall develop a survey to determine the effectiveness of the

methods provided to victims for compensation. Victim compensation officers shall award compensation unless the injury or death of the victim was substantially attributable to the victim's actions. AB 534 also changes the requirements for victim eligibility for compensation. Victim now means a person who is injured or killed as the direct result of a criminal act. It no longer requires that the victim be physically injured.

- **Origin/Author:** Assembly Committee on Judiciary
- **Position:** Support
- **Effective Date:** Sections 1, 5, 6 which transfer the VOCP to the Department of Health and Human Services and creates the State Plan become effective July 1, 2020. Sections 2, 3, 4, 8-14 which make changes to compensation approval become effective June 14, 2019.

### Senate Bill 9

- **Summary:** SB 9 eliminates the time for which a prosecution for a sexual assault must be made if the sexual assault was committed in conjunction with murder.
- **Origin/Author:** Assembly Committee on Judiciary on behalf of the Attorney General.
- **Position:** Support
- **Effective Date:** October 1, 2019

### Senate Bill 97

\*This bill appears in more than one section.

- **Summary:** SB 97 eliminates the gay and trans panic defense. Perpetrators cannot claim that their provocation, state of passion, or violence was reasonable because of their learned knowledge or discovery about the perceived sexual orientation or gender identity or expression of the victim.
- **Origin/Author:** Senate Committee on Judiciary on behalf of the Nevada Youth Legislature
- **Position:** Support
- **Effective Date:** October 1, 2019
- **NCEDSV Testimony:** [Senate Judiciary](#), [Assembly Judiciary](#)

### Senate Bill 225

- **Summary:** SB225 expands the existing definition of 'victim' who may apply to receive compensation from the Fund for the Compensation of Victims of Crime. Victim now includes veterans who experienced military sexual trauma.
- **Origin/Author:** Senator Pat Spearman

- **Position:** Support

### Senate Bill 332 (NCEDSV REQUESTED)

- **Summary:** SB 332 directs the Legislative Committee on Education to conduct an interim study concerning the provision of a safe and respectful learning environment free from bullying, cyber-bullying, and discriminatory harassment.  
The interim study is tasked with considering if pupils enrolled in K-12 or higher education feel safe at the institution and whether their needs and concerns are met. The interim study is also to review Title IX and any regulations proposed or adopted.
- **Origin/Author:** Senator Heidi Seevers-Gansert
- **Position:** Support
- **Effective Date:** July 1, 2019
- **NCEDSV Testimony:** [Senate Legislative Operations and Elections](#)

### Senate Bill 368

\*This bill appears in more than one section.

- **Summary:** SB 368 an omnibus bill makes various changes regarding protections for survivors of sexual assault and sexual exploitation. This bill establishes a rebuttable presumption that in any civil action concerning nonconsensual sexual conduct and sexual harassment the acts were unwelcome or nonconsensual if the alleged perpetrator was a person in a position or authority over the victim.  
The bill establishes the Sexual Assault Survivors DNA Bill of Rights, which grants survivors the right to a prompt genetic marker analysis and to opt in to knowing whether the analysis yielded a DNA profile, yielded a DNA profile of the accused perpetrator, or a person already in CODIS.  
Sexual Assault extended orders of protection will be extended up to 3 years.  
The Aging and Disability Services Division of the Department of Health and Human Services must ensure that each facility where a person with an intellectual disability or a developmental disability is able to be admitted that each employee has training regarding abuse of a person, and appropriate education to each person that is admitted explaining what sexual abuse is and how to report it.  
If an alleged perpetrator of sexual assault is arrested, they must submit to an HIV test no later than 72 hours after they are charged with the crime.
- **Origin/Author:** Senator Pat Spearman
- **Position:** Support
- **Effective Date:** October 1, 2019

### Senate Bill 383

- **Summary:** SB 383 prohibits sexual conduct between a law enforcement officer and an individual that has been detained or arrested. Consent of a person who is under arrest or is currently detained is not a defense to a prosecution for such unlawful sexual conduct. A law enforcement officer who is guilty of sexual misconduct is guilty of a category D felony.
- **Origin/Author:** Senator Melanie Scheible and Senator Julia Ratti
- **Position:** Support
- **Effective Date:** October 1, 2019

## STALKING

2019 Legislative bills effecting stalking laws and statutes.

### Assembly Bill 60

\*This bill appears in more than one section.

- **Summary:** AB 60 changes the definition of stalking to state that an individual is guilty of stalking if they engage in a maliciously course of conduct directed towards a victim that would make any reasonable person feel terrorized, frightened, or fear for their safety. If an individual commits the crime of stalking, the third offense is guilty of a category C felony. If stalking is committed against a victim who is under the age of 16, the first offense is guilty of a gross misdemeanor, second offense is guilty of a category C felony, and a third or subsequent offense is guilty of a category B felony.
- **Origin/Author:** Assembly Committee on Judiciary on behalf of the Attorney General
- **Position:** Support
- **Effective Date:** July 1, 2019

### Assembly Bill 134 (NCEDSV REQUESTED)

\*This bill appears in more than one section.

- **Summary:** AB 134 revises the definition of 'victim's advocate' to include a person who works for a program on a university, state college or community college within the Nevada System of Higher Education or program of a tribal organization which provides services to victims of domestic violence, sexual assault, human trafficking or stalking.
- **Origin/Author:** Assemblywoman Shea Backus
- **Position:** Support
- **Effective Date:** July 1, 2019

- **NCEDSV Testimony:** [Assembly Judiciary](#), [Senate Judiciary](#)

### [Assembly Bill 410](#)

\*This bill appears in more than once section.

- **Summary:** AB410 increases the time frame for temporary orders of protection against domestic violence, stalking, aggravated stalking or harassment from 30 to 45 days.
- **Origin/Author:** Assemblywoman Lisa Krasner
- **Position:** Support
- **Effective Date:** October 1, 2019

### [Assembly Bill 534](#)

\*This bill appears in more than one section.

- **Summary:** AB 534 makes various changes to the Victims of Crime Compensation Program. AB 534 transfers the Victims of Crime Compensation Program from the Department of Administration and the State board of Examiners to the Department of Health and Human Services. The Department of Health and Human Services shall develop a State Plan for Services for Victims, shall make any forms used to be inclusive and available online, and shall develop a survey to determine the effectiveness of the methods provided to victims for compensation. Victim compensation officers shall award compensation unless the injury or death of the victim was substantially attributable to the victim's actions. AB 534 also changes the requirements for victim eligibility for compensation. Victim now means a person who is injured or killed as the direct result of a criminal act. It no longer requires that the victim be physically injured.
- **Origin/Author:** Assembly Committee on Judiciary
- **Position:** Support
- **Effective Date:** Sections 1, 5, 6 which transfer the VOCP to the Department of Health and Human Services and creates the State Plan become effective July 1, 2020. Sections 2, 3, 4, 8-14 which make changes to compensation approval become effective June 14, 2019.

## **HUMAN TRAFFICKING**

2019 Legislative bills effecting human trafficking laws and statutes.

### [Assembly Bill 134](#) (NCEDSV REQUESTED)

\*This bill appears in more than one section.

- **Summary:** AB 134 revises the definition of 'victim's advocate' to include a person who works for a program on a university, state college or community college within the Nevada System of Higher Education or program of a tribal organization which provides services to victims of domestic violence, sexual assault, human trafficking or stalking.
- **Origin/Author:** Assemblywoman Shea Backus
- **Position:** Support
- **Effective Date:** July 1, 2019
- **NCEDSV Testimony:** [Assembly Judiciary](#), [Senate Judiciary](#)

### [Assembly 216](#)

\*This bill appears in more than once section.

- **Summary:** AB216 requires the State Treasurer to establish a statewide database containing information regarding funding sources for higher education. The bill also requires the Office of the Attorney General to create a program that connects victims of domestic violence and human trafficking to the information contained in the database.
- **Origin/Author:** Assemblywoman Jill Tolles
- **Position:** Support
- **Effective Date:** July 1, 2019

### [Assembly Bill 534](#)

\*This bill appears in more than one section.

- **Summary:** AB 534 makes various changes to the Victims of Crime Compensation Program. AB 534 transfers the Victims of Crime Compensation Program from the Department of Administration and the State board of Examiners to the Department of Health and Human Services. The Department of Health and Human Services shall develop a State Plan for Services for Victims, shall make any forms used to be inclusive and available online, and shall develop a survey to determine the effectiveness of the methods provided to victims for compensation. Victim compensation officers shall award compensation unless the injury or death of the victim was substantially attributable to the victim's actions. AB 534 also changes the requirements for victim eligibility for compensation. Victim now means a person who is injured or killed as the direct result of a criminal act. It no longer requires that the victim be physically injured.
- **Origin/Author:** Assembly Committee on Judiciary
- **Position:** Support
- **Effective Date:** Sections 1, 5, 6 which transfer the VOCP to the Department of Health and Human Services and creates the State Plan become effective July

1, 2020. Sections 2, 3, 4, 8-14 which make changes to compensation approval become effective June 14, 2019.

### Senate Bill 173

- **Summary:** SB 173 expands the list of offenses that a victim of sex trafficking or involuntary servitude may petition the court to vacate and seal all documents from their record relating to the crime. This bill allows victims to petition for the sealing of all non-violent crimes that were committed in conjunction with their victimization.  
Prosecuting attorneys who prosecuted the petitioner are authorized to vacate from the judgment and seal records in lieu of the court holding a hearing. If the petitioner does not stipulate, the court must hold a hearing. The district court may order the sealing of records even if the petitioner does not request the sealing of records.
- **Origin/Author:** Senator Ohrenschall
- **Position:** Support
- **Effective Date:** October 1, 2019

### Senate Bill 293

- **Summary:** SB293 requires the Administrator of the Division of Child and Family Services of the Department of Health and Human Services to create a new position of coordinator of services for commercially sexually exploited children. The coordinator will be tasked with collaborating with certain and interested agencies and persons to assess the current and future needs of commercially exploited children in the State, evaluate incentives to recruit housing providers, and develop a plan to establish the infrastructure to provide treatment, housing, and services to sexually exploited children. The coordinator shall submit to the Legislative Committee on Child Welfare and Juvenile Justice a formal proposal on or before October 1, 2020. Appropriations for the Coordinator and described activities is \$159,562 for the biennium.  
The bill also requires that a child must not be adjudicated as delinquent or in need of supervision for solicitation of prostitution or sexual exploitation. Rather, the court shall report the commercial sexual exploitation of the child to an agency which provides child welfare services.
- **Origin/Author:** Senator Julia Ratti
- **Position:** Support
- **Effective Date:** Section 1,16.5, and 19 effective June 7, 2019. Section 18 effective July 1, 2019. Section 16 effective July 1, 2019.

### **Senate Bill 368**

\*This bill appears in more than one section.

- **Summary:** SB 368 an omnibus bill makes various changes regarding protections for survivors of sexual assault and sexual exploitation. A child adjudicated delinquent for certain unlawful acts who are victims of sex trafficking or involuntary servitude may petition the juvenile court to vacate or seal all records relating to the adjudication. A peace officer who detains a prostitute soliciting illegal prostitution shall before releasing the individual, provide information regarding opportunities for connection with social service agencies. If the prostitute is arrested, before release, they must be informed that they may eligible for assignment to a pre prosecution diversion program. If at any time before a trial, the prosecuting attorney has reason to believe that the prostitute is a victim of sex trafficking, the charges shall be dismissed.
- **Origin/Author:** Senator Pat Spearman
- **Position:** Support
- **Effective Date:** October 1, 2019