

AMENDMENTS TO LB1408

Introduced by Business and Labor.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Section 81-1430, Revised Statutes Cumulative Supplement,
4 2022, is amended to read:

5 81-1430 (1) A task force is hereby established within the Nebraska
6 Commission on Law Enforcement and Criminal Justice for the purposes of
7 investigating and studying human trafficking, the methods for advertising
8 human trafficking services, and the victimization of individuals coerced
9 to participate in human trafficking.

10 (2) The task force shall examine the extent to which human
11 trafficking is prevalent in this state, the scope of efforts being taken
12 to prevent human trafficking from occurring, and the services available
13 to victims of human trafficking in this state. The task force shall
14 utilize information and research available from the Innocence Lost
15 National Initiative. The task force shall research and recommend a model
16 of rehabilitative services for victims of human trafficking that includes
17 input from the areas of law enforcement, social services, the legal
18 profession, the judiciary, mental health, and immigration. The task force
19 shall also investigate the limitations upon victims who wish to come
20 forward and seek medical attention; investigate the potential to stop
21 human trafficking; and investigate the potential to promote recovery, to
22 protect families and children who may be profoundly impacted by such
23 abuse, and to save lives.

24 (3)(a) The Department of Labor shall work with the task force to
25 develop or select informational posters for placement around the state.
26 The posters shall be in English, Spanish, and any other language deemed
27 appropriate by the task force. The posters shall include a toll-free

1 telephone number a person may call for assistance, preferably the
2 National Human Trafficking Resource Center Hotline (888) 373-7888
3 ~~(888)373-7888~~.

4 (b) Posters shall be placed in rest stops, strip clubs, ~~and~~ casinos,
5 and hotels and similar public lodging establishments. The task force
6 shall work with local businesses and nonprofit entities associated with
7 the prevention of human trafficking to voluntarily place additional signs
8 in high schools, postsecondary educational institutions, gas stations,
9 ~~hotels~~, hospitals, health care clinics, urgent care centers, airports,
10 train stations, bus stations, and other locations around the state deemed
11 appropriate by the task force.

12 (4) The task force shall consist of the following members:

13 (a) The Attorney General or his or her designee;

14 (b) The executive director of the Nebraska Commission on Law
15 Enforcement and Criminal Justice;

16 (c) The Superintendent of Law Enforcement and Public Safety or his
17 or her designee;

18 (d) The Director of Correctional Services or his or her designee;

19 (e) The chief of police or director of public safety of a city of
20 two hundred thousand inhabitants or more as determined by the most recent
21 federal decennial census or the most recent revised certified count by
22 the United States Bureau of the Census;

23 (f) The chief of police or director of public safety of a city of
24 less than two hundred thousand inhabitants as determined by the most
25 recent federal decennial census or the most recent revised certified
26 count by the United States Bureau of the Census;

27 (g) A county sheriff;

28 (h) A county attorney;

29 (i) A county commissioner;

30 (j) A mayor or city manager;

31 (k) A person involved with the control or prevention of juvenile

1 delinquency;

2 (1) A person involved with the control or prevention of child abuse;

3 (m) The Commissioner of Education or his or her designee;

4 (n) The director of the Commission on Latino-Americans or his or her
5 designee; and

6 (o) Six members, at least three of whom shall be women, from the
7 public at large.

8 (5) The Governor shall appoint the members of the task force listed
9 in subdivisions (4)(e) through (1) and (o) of this section for terms as
10 provided in subsection (6) of this section. The membership of the task
11 force shall represent varying geographic areas and large and small
12 political subdivisions. One member from the public at large shall be a
13 professional representing child welfare, and one member of the public at
14 large shall represent juvenile pretrial diversion programs.

15 (6) The members of the task force appointed by the Governor shall
16 serve six-year terms, except that of the members first appointed, four
17 shall serve initial two-year terms, four shall serve initial four-year
18 terms, and six shall serve initial six-year terms from January 1 next
19 succeeding their appointments. Thereafter, all members shall serve six-
20 year terms. A member may be reappointed at the expiration of his or her
21 term. Any vacancy occurring otherwise than by expiration of a term shall
22 be filled for the balance of the unexpired term in the same manner as the
23 original appointment.

24 (7) No member shall serve beyond the time when he or she holds the
25 office, employment, or status by reason of which he or she was initially
26 eligible for appointment. Any member of the task force appointed by the
27 Governor may be removed from the task force for cause upon notice and an
28 opportunity to be heard at a public hearing. One of the causes for
29 removal shall be absence from three regularly scheduled meetings of the
30 task force during any six-month period when the member has failed to
31 advise the task force in advance of such meeting that he or she will be

1 absent and stating a reason therefor.

2 (8) The chairperson of the task force shall be designated by the
3 Governor to serve at the pleasure of the Governor. The chairperson shall
4 be the chief executive officer of the task force but may delegate such of
5 his or her duties to other members of the task force as may be authorized
6 by the task force.

7 (9) Notwithstanding any provision of law, ordinance, or charter
8 provision to the contrary, membership on the task force shall not
9 disqualify any member from holding any other public office or employment
10 or cause the forfeiture thereof.

11 (10) The members of the task force shall serve on the task force
12 without compensation, but they shall be entitled to receive reimbursement
13 for expenses incurred incident to such service as provided in sections
14 81-1174 to 81-1177.

15 (11) Eleven members of the task force shall constitute a quorum for
16 the transaction of any business or the exercise of any power of the task
17 force. The task force shall have the power to act by a majority of the
18 members present at any meeting at which a quorum is in attendance.

19 (12) Every July 1 and December 1, the task force shall report
20 electronically to the Clerk of the Legislature the results of its
21 investigation and study and its recommendations, if any, together with
22 drafts of legislation necessary to carry its recommendations into effect
23 by filing the report with the clerk.

24 Sec. 2. Section 81-1431, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 81-1431 (1) It is the intent of the Legislature that law enforcement
27 agencies, prosecutors, public defenders, judges, juvenile detention
28 center staff, and others involved in the juvenile justice system and the
29 criminal justice system and other relevant officials be provided
30 mandatory training regarding issues in human trafficking. The task force
31 established in section 81-1430 shall work with such agencies, persons,

1 and staff to develop a proper curriculum for the training and to
2 determine how the training should be provided. ~~The determination and~~
3 ~~accompanying legislative recommendations shall be made by December 1,~~
4 ~~2012.~~ Such training shall focus on:

5 (a) State and federal law regarding human trafficking;

6 (b) Methods used in identifying victims of human trafficking who are
7 United States citizens and foreign nationals, including preliminary
8 interview techniques and appropriate questioning methods;

9 (c) Methods for prosecuting human traffickers;

10 (d) Methods of increasing effective collaboration with
11 nongovernmental organizations and other relevant social service
12 organizations in the course of investigating and prosecuting a human
13 trafficking case;

14 (e) Methods for protecting the rights of victims of human
15 trafficking, taking into account the need to consider human rights and
16 the special needs of women and minor victims;

17 (f) The necessity of treating victims of human trafficking as crime
18 victims rather than as criminals; and

19 (g) Methods for promoting the safety and well-being of all victims
20 of human trafficking.

21 (2) Employees of hotels and similar public lodging establishments
22 may be provided training regarding issues in human trafficking. The task
23 force established in section 81-1430 may work with the Department of
24 Labor and hotels and similar public lodging establishments to approve
25 such training and determine how such training should be provided. Such
26 training may include:

27 (a) The definition of human trafficking and the commercial
28 exploitation of children;

29 (b) Guidance on how to identify individuals at risk for human
30 trafficking;

31 (c) Guidance on how to identify the signs of human trafficking and

1 any individual potentially engaged in human trafficking;

2 (d) Differences between labor trafficking and sex trafficking,
3 specific to the hotel and public lodging sector;

4 (e) Guidance on the role of hospitality employees in reporting and
5 responding to potential or suspected human trafficking; and

6 (f) The contact information for the National Human Trafficking
7 Resource Center Hotline toll-free telephone number and text line and
8 contact information for local law enforcement.

9 (3) ~~(2)~~ The task force shall also seek the input and participation
10 of appropriate nongovernmental organizations and other relevant
11 organizations regarding the provision, preparation, and presentation of
12 the training called for in this section.

13 Sec. 3. (1) For purposes of this section:

14 (a) Hotel means any facility in which the public may, for a
15 consideration, obtain sleeping accommodations. Hotel includes hotels,
16 motels, tourist homes, campgrounds, courts, lodging houses, inns, state-
17 operated hotels, and nonprofit hotels but does not include hospitals,
18 sanitariums, nursing homes, long-term care facilities, or dormitories or
19 facilities operated by an educational institution and regularly used to
20 house students; and

21 (b) Human trafficking means labor trafficking, labor trafficking of
22 a minor, sex trafficking, or sex trafficking of a minor as those terms
23 are defined in section 28-830.

24 (2) Any person, firm, or corporation that owns or operates a hotel
25 or similar public lodging establishment may:

26 (a) Provide to all employees of such hotel or public lodging
27 establishment within the State of Nebraska training on human trafficking
28 that has been approved pursuant to subsection (2) of section 81-1431
29 within one hundred eighty days of being employed at such hotel or public
30 lodging establishment;

31 (b) Implement procedures for the reporting of suspected human

1 trafficking to the National Human Trafficking Resource Center Hotline or
2 to a local enforcement agency; and

3 (c) Implement a human trafficking prevention policy for employees of
4 the hotel or establishment within the State of Nebraska.

5 (3) An owner, operator, or employee of a hotel or similar public
6 lodging establishment who implements the training and policies as
7 prescribed in subsection (2) of this section shall not be liable for any
8 act or omission arising out of or related to human trafficking committed
9 by a third party occurring at such hotel or establishment unless the
10 owner, operator, or employee of the hotel or establishment knowingly
11 assists in the commission of human trafficking.

12 (4) The Department of Labor may adopt and promulgate rules and
13 regulations to carry out this section.

14 Sec. 4. Original section 81-1431, Reissue Revised Statutes of
15 Nebraska, and section 81-1430, Revised Statutes Cumulative Supplement,
16 2022, are repealed.