



Senate Fiscal Agency
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House Bill 5158 (Substitute S-2 as reported by the Committee of the Whole)
Sponsor: Representative Kurt Heise
House Committee: Criminal Justice
Senate Committee: Families, Seniors and Human Services

CONTENT

The bill would create the "Human Trafficking Commission Act", which would establish the Human Trafficking Commission within the Department of Attorney General. The Commission would include the following members:

- The Governor, or his or her designated representative.
- The State Attorney General, and the Directors of the Departments of State Police, Human Services, Community Health, and Licensing and Regulatory Affairs, or their designated representatives.
- Two individuals appointed by the Governor from a list submitted by the Senate Majority Leader.
- Two individuals appointed by the Governor from a list submitted by the Speaker of the House of Representatives.
- One circuit court judge serving in the family court, appointed by the Governor from a list of three individuals submitted by the Michigan Judges Association.
- One county prosecuting attorney, appointed by the Governor from a list of three individuals submitted by the Prosecuting Attorneys Association of Michigan.
- One person representing the interests of law enforcement, appointed by the Governor from a list of three individuals submitted by the Michigan Association of Chiefs of Police.
- Two individuals who had survived human trafficking, appointed by the Governor.

Commission members would serve without compensation, but could be reimbursed for actual and necessary expenses. The first meeting of the Commission would have to be called within 180 days of the bill's effective date, and subsequent meetings would have to be held at least four times each year. The Commission would be subject to the Open Meetings Act and the Freedom of Information Act.

The Commission would have to identify sources for grants and fund research programs to determine the extent of trafficking in this State; provide information and training to police officers, prosecutors, and other professionals; collect and analyze information regarding human trafficking; identify State and local agencies involved with human trafficking issues and coordinate the dissemination of information with them; review existing services provided to human trafficking victims; establish a program to improve public awareness of human trafficking; and review existing State laws and administrative rules and make recommendations to the Legislature to improve those laws and rules. The Commission would have to file a report with the Governor, the Secretary of the Senate, and the Clerk of the House of Representatives regarding its activities by February 1 of each year.

The bill also would create the "Human Trafficking Commission Fund" within the Department of Treasury. The State Treasurer could receive money or other assets for deposit in the

Fund, and would have to direct its investment. Money in the Fund could be spent only by appropriation to carry out the Act's purposes. Any money in the Fund at the close of the fiscal year would be considered a work project, and would not lapse to the General Fund.

The bill is tie-barred to House Bill 5234, and would take effect 90 days after its enactment. (House Bill 5234 would amend the Michigan Penal Code to revise human trafficking offenses and penalties.)

Legislative Analyst: Jeff Mann

FISCAL IMPACT

According to the Department of Attorney General, its estimated costs for Commission members' per diem, support staff costs, and administrative costs would total approximately \$100,000. This amount is not included in the Department's FY 2014-15 budget and, according to the Department, supplemental funding would be necessary.

Date Completed: 10-2-14

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.