

HOUSE BILL No. 5158

November 14, 2013, Introduced by Reps. Heise, Kowall, Slavens, Hovey-Wright, Haveman, Tlaib, Haugh, Zorn, Roberts, Franz, Cavanagh, Graves, Kandrevas, Kivela, Brown, O'Brien, Lamonte, Kosowski and Hooker and referred to the Committee on Criminal Justice.

A bill to create the human trafficking commission act; to prescribe the membership of the human trafficking commission; and to prescribe the duties and responsibilities of the human trafficking commission.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the "human
2 trafficking commission act".

3 Sec. 2. As used in this act:

4 (a) "Commission" means the human trafficking commission
5 created in section 3.

6 (b) "Human trafficking" means a violation of chapter LXVIIA of
7 the Michigan penal code, 1931 PA 328, MCL 750.462a to 750.462j.

8 Sec. 3. (1) The human trafficking commission is created as an

1 autonomous entity within the department of attorney general. The
2 commission shall include all of the following members:

3 (a) The governor or his or her designated representative from
4 within the office of the governor.

5 (b) The state attorney general or his or her designated
6 representative from within the department of attorney general.

7 (c) The director of the department of state police or his or
8 her designated representative from within the department of state
9 police.

10 (d) The director of the department of human services or his or
11 her designated representative from within the department of human
12 services.

13 (e) The director of the department of community health or his
14 or her designated representative from within the department of
15 community health.

16 (f) The director of the department of licensing and regulatory
17 affairs or his or her designated representative from within the
18 department of licensing and regulatory affairs.

19 (g) One individual appointed by the senate majority leader.

20 (h) One individual appointed by the senate minority leader.

21 (i) One individual appointed by the speaker of the house of
22 representatives.

23 (j) One individual appointed by the minority leader of the
24 house of representatives.

25 (k) One individual who is a circuit court judge and who is
26 appointed by the governor.

27 (l) One individual who is a county prosecuting attorney and who

1 is appointed by the governor.

2 (m) One individual who is a police officer and who is
3 appointed by the governor.

4 (n) One individual who represents the interests of those who
5 advocate for or protect the interests of human trafficking victims
6 and who is appointed by the governor.

7 (2) The members first appointed to the board under subsection
8 (1)(g) to (n) shall be appointed within 90 days after the effective
9 date of this act.

10 (3) Members of the commission appointed under subsection
11 (1)(g) to (n) shall serve for terms of 4 years or until a successor
12 is appointed, whichever is later.

13 (4) If a vacancy occurs on the commission, the appointing
14 authority shall make an appointment for the unexpired term in the
15 same manner as the original appointment.

16 (5) The governor may remove a member of the commission for
17 incompetence, dereliction of duty, malfeasance, misfeasance, or
18 nonfeasance in office, or any other good cause.

19 (6) The first meeting of the commission shall be called within
20 180 days after the effective date of this act. At the first
21 meeting, the commission shall elect from among its members a
22 chairperson and other officers as it considers necessary or
23 appropriate. After the first meeting, the commission shall meet at
24 least quarterly, or more frequently at the call of the chairperson
25 or if requested by a majority of the members then serving.

26 (7) A majority of the members of the commission constitute a
27 quorum for the transaction of business at a meeting of the

1 commission. A majority of the members present and serving are
2 required for the official action of the commission.

3 (8) The business that the commission may perform shall be
4 conducted at a public meeting of the commission held in compliance
5 with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

6 (9) A writing prepared, owned, used, in the possession of, or
7 retained by the commission in the performance of an official
8 function is subject to the freedom of information act, 1976 PA 442,
9 MCL 15.231 to 15.246.

10 (10) Members of the commission shall serve without
11 compensation. However, members of the commission may be reimbursed
12 for their actual and necessary expenses incurred in the performance
13 of their official duties as members of the commission.

14 Sec. 4. The commission shall do all of the following:

15 (a) Identify sources for grants that will assist in examining
16 and countering the problem of human trafficking in this state, and
17 apply for those grants when appropriate.

18 (b) Fund research programs to determine the extent and nature
19 of the human trafficking problem in this state.

20 (c) Provide information and training regarding human
21 trafficking to police officers, prosecutors, defense attorneys,
22 court personnel, health care providers, social services personnel,
23 and other individuals the commission considers appropriate.

24 (d) Collect and analyze information regarding human
25 trafficking in this state.

26 (e) Identify state and local agencies within this state and
27 other states, as well as within the federal government, that are

1 involved with issues relating to human trafficking, and coordinate
2 the dissemination of information regarding human trafficking in
3 this state to those agencies.

4 (f) Review the existing services available to assist victims
5 of human trafficking, including crime victim assistance, health
6 care, and legal assistance, and establish a program to make those
7 victims better aware of the services that are available to them.

8 (g) Establish a program to improve public awareness of human
9 trafficking.

10 (h) Review existing state laws and administrative rules
11 relating to human trafficking and make recommendations to the
12 legislature to improve those laws and rules to address human
13 trafficking violations in this state.

14 (i) File an annual report with the governor, the secretary of
15 the senate, and the clerk of the house of representatives regarding
16 its activities under this act. The report shall be filed not later
17 than February 1 of the year following the year for which the report
18 is due.