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ASSEMBLY BILL NO. 276—ASSEMBLYMEN HAMBRICK, PAUL  
ANDERSON, FLORES, CARRILLO, SILBERKRAUS; ARAUJO,  
SEAMAN, SPIEGEL, STEWART AND THOMPSON

MARCH 12, 2015

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JOINT SPONSOR: SENATOR HARRIS

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Referred to Committee on Judiciary

SUMMARY—Provides certain protections and services for victims  
of human trafficking. (BDR 16-1005)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~for omitted material~~ is material to be omitted.

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AN ACT relating to human trafficking; requiring certain law  
enforcement officers to take certain actions upon an initial  
encounter with a possible victim of human trafficking;  
requiring the Department of Health and Human Services  
to develop a statewide plan for delivery of services to  
victims of human trafficking; requiring the Department of  
Education and the State Board of Education to develop  
and distribute certain informational materials relating to  
the human trafficking of children; requiring certain  
businesses or other establishments to post an  
informational sign relating to the National Human  
Trafficking Resource Center hotline; and providing other  
matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law prohibits involuntary servitude, assuming ownership over a  
2 person, the purchase or sale of a person, trafficking in persons, pandering and living  
3 from the earnings of a prostitute. (NRS 200.463-200.468, 201.300-201.340)  
4 **Sections 1, 2 and 4** of this bill define victims of those crimes as “victims of human  
5 trafficking.”

6 **Section 1** requires a law enforcement officer, a district attorney or a deputy  
7 thereof, or the Attorney General or deputy thereof, as soon as possible after his or  
8 her initial encounter with a possible victim of human trafficking, to make a



9 preliminary assessment of whether the victim is: (1) eligible under existing law for  
10 certain compensation and assistance provided to victims of crime; and (2) eligible  
11 for certification under existing federal law as a victim of a severe form of  
12 trafficking in persons. If the law enforcement officer, the district attorney or a  
13 deputy thereof, or the Attorney General or a deputy thereof believes the person is  
14 eligible for certification as a victim of a severe form of trafficking in persons,  
15 **section 1** requires the law enforcement officer, the district attorney or a deputy  
16 thereof, or the Attorney General or a deputy thereof to notify the person and, upon  
17 request, to provide the person with certain immigration forms. **Section 1** also  
18 requires the law enforcement officer, the district attorney or a deputy thereof, or the  
19 Attorney General or a deputy thereof to notify the Division of Child and Family  
20 Services of the Department of Health and Human Services if the possible victim of  
21 human trafficking is less than 18 years of age or the Aging and Disability Services  
22 Division of the Department if the possible victim is an older person or a vulnerable  
23 person.

24 **Section 2** requires the Department of Health and Human Services to develop a  
25 statewide plan for the delivery of services to victims of human trafficking.

26 **Section 4** requires the Department of Education and the State Board of  
27 Education to develop and distribute certain informational material relating to the  
28 human trafficking of children.

29 **Section 5** of this bill requires certain businesses or other establishments to post  
30 a notice regarding the National Human Trafficking Resource Center hotline. This  
31 bill further requires the Department of Transportation and the Department of  
32 Business and Industry to develop a model notice regarding the National Human  
33 Trafficking Resource Center hotline and make the model notice available on their  
34 Internet websites. This bill also imposes a warning on a business or other  
35 establishment for a first violation of not posting such notice and provides 24 hours  
36 to correct such violation, and a \$500 civil penalty for each subsequent violation of  
37 not posting such notice.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 217 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3 *1. As soon as practicable after the initial encounter with a*  
4 *person who reasonably appears to be a victim of human*  
5 *trafficking, a law enforcement officer, a district attorney or a*  
6 *deputy thereof, or the Attorney General or a deputy thereof shall*  
7 *make a preliminary assessment of whether the victim:*

8 *(a) May be eligible for compensation or assistance pursuant to*  
9 *the provisions of this chapter; and*

10 *(b) Appears to meet the criteria for certification pursuant to 22*  
11 *U.S.C. § 7105(b)(1) as a victim of a severe form of trafficking in*  
12 *persons, as defined in 22 U.S.C. § 7105(b)(1)(C), or appears to be*  
13 *otherwise eligible for any federal, state or local benefits or*  
14 *services.*

15 *2. If, after the preliminary assessment conducted pursuant to*  
16 *subsection 1, the law enforcement officer, the district attorney or a*



1 *deputy thereof, or the Attorney General or a deputy thereof*  
2 *determines that the victim appears to be eligible for compensation*  
3 *or assistance pursuant to this chapter or to meet the criteria for*  
4 *certification as a victim of a severe form of trafficking in persons,*  
5 *the law enforcement officer, the district attorney or a deputy*  
6 *thereof, or the Attorney General or a deputy thereof shall:*

7 (a) *Notify the victim of the finding;*

8 (b) *Notify the victim of any compensation or assistance that*  
9 *may be available pursuant to this chapter and the manner in*  
10 *which to apply for such compensation or assistance;*

11 (c) *Refer the victim to available services, including, without*  
12 *limitation, legal services; and*

13 (d) *Upon the request of the victim, provide the victim with one*  
14 *or both of the following forms issued by the United States*  
15 *Citizenship and Immigration Services of the United States*  
16 *Department of Homeland Security:*

17 (1) *Form I-914, Supplement B, Declaration of Law*  
18 *Enforcement Officer for Victim of Trafficking in Persons.*

19 (2) *Form I-918, Supplement B, U Nonimmigrant Status*  
20 *Certification.*

21 ↪ *The law enforcement officer, the district attorney or a deputy*  
22 *thereof, or the Attorney General or a deputy thereof shall complete*  
23 *and execute the form in accordance with the applicable*  
24 *instructions, rules and regulations.*

25 3. *If the victim of human trafficking is less than 18 years of*  
26 *age, the law enforcement officer, the district attorney or a deputy*  
27 *thereof, or the Attorney General or a deputy thereof shall notify*  
28 *the Division of Child and Family Services of the Department of*  
29 *Health and Human Services.*

30 4. *If the victim of human trafficking is an older person or a*  
31 *vulnerable person, the law enforcement officer, the district*  
32 *attorney or a deputy thereof, or the Attorney General or a deputy*  
33 *thereof shall notify the Aging and Disability Services Division of*  
34 *the Department of Health and Human Services. For the purposes*  
35 *of this subsection:*

36 (a) *“Older person” has the meaning ascribed to it in*  
37 *NRS 200.5092.*

38 (b) *“Vulnerable person” has the meaning ascribed to it in*  
39 *NRS 200.5092.*

40 5. *For the purposes of this section, “victim of human*  
41 *trafficking” means a person against whom a violation of any*  
42 *provision of NRS 200.463 to 200.468, inclusive, 201.300 or*  
43 *201.320 or 18 U.S.C. § 1589, 1590 or 1591 has been committed.*



1     **Sec. 2.** Chapter 232 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3     1. *The Department shall, in cooperation with any other state*  
4 *agency, any federal agency, public or private entity or any other*  
5 *stakeholder the Department deems appropriate, develop a*  
6 *statewide plan for the delivery of services to victims of human*  
7 *trafficking. The plan must provide for:*

8       (a) *The identification of victims of human trafficking;*

9       (b) *Assistance to victims of human trafficking with applying*  
10 *for federal and state benefits and services to which they may be*  
11 *entitled;*

12       (c) *The coordination of providing medical services,*  
13 *psychological services, housing, education, job training, child*  
14 *care, victims' compensation, legal services and other services to*  
15 *victims of human trafficking;*

16       (d) *The preparation and dissemination of educational*  
17 *materials to increase awareness about human trafficking and the*  
18 *services available to victims of human trafficking among state and*  
19 *local agencies that provide social services, public and private*  
20 *agencies that may provide services to victims of human trafficking*  
21 *and the public;*

22       (e) *The establishment and maintenance of community-based*  
23 *services for victims of human trafficking; and*

24       (f) *Assistance to victims of human trafficking with family*  
25 *reunification or to return to their place of origin, if the victim so*  
26 *desires.*

27     2. *The Director shall periodically review the statewide plan*  
28 *developed pursuant to subsection 1 and its implementation to*  
29 *determine whether the plan and its implementation comply with*  
30 *the provisions of this section.*

31     3. *As used in this section, "victim of human trafficking"*  
32 *means a person against whom a violation of any provision of NRS*  
33 *200.463 to 200.468, inclusive, 201.300 or 201.320 or 18 U.S.C. §*  
34 *1589, 1590 or 1591 has been committed.*

35     **Sec. 3.** NRS 232.290 is hereby amended to read as follows:

36     232.290 As used in NRS 232.290 to 232.484, inclusive, *and*  
37 *section 2 of this act*, unless the context requires otherwise:

38     1. "Department" means the Department of Health and Human  
39 Services.

40     2. "Director" means the Director of the Department.

41     **Sec. 4.** Chapter 388 of NRS is hereby amended by adding  
42 thereto a new section to read as follows:

43     1. *The Department, in consultation with persons who possess*  
44 *knowledge and expertise in identifying and preventing the human*  
45 *trafficking of children, shall develop materials for distribution to*



1 *school districts, administrators, principals, teachers and all other*  
2 *personnel employed by the board of trustees of a school district,*  
3 *parents and students that provide information concerning:*

4 (a) *The identification and prevention of the human trafficking*  
5 *of children, including, without limitation, strategies for preventing*  
6 *the human trafficking of children; and*

7 (b) *The resources to which administrators, principals, teachers*  
8 *and all other personnel employed by the board of trustees of a*  
9 *school district, parents and students may refer to obtain*  
10 *information concerning the identification and prevention of*  
11 *human trafficking of children, including, without limitation,*  
12 *strategies for preventing the human trafficking of children.*

13 2. *The State Board, in consultation with the Department of*  
14 *Health and Human Services, shall provide for the distribution of*  
15 *the materials developed pursuant to subsection 1 to school*  
16 *districts.*

17 3. *As used in this section, "human trafficking" means a*  
18 *violation of any provision of NRS 200.463 to 200.468, inclusive,*  
19 *201.300 or 201.320 or 18 U.S.C. § 1589, 1590 or 1591.*

20 **Sec. 5.** Chapter 597 of NRS is hereby amended by adding  
21 thereto a new section to read as follows:

22 1. *Each of the following businesses and other establishments*  
23 *shall, upon the availability of the model sign developed pursuant*  
24 *to subsection 3, post a notice that complies with the requirements*  
25 *of this section in a conspicuous place near the public entrance of*  
26 *the establishment or in another conspicuous location in clear view*  
27 *of the public and employees where similar notices are customarily*  
28 *posted:*

29 (a) *An establishment found to maintain or permit a public*  
30 *nuisance relating to prostitution;*

31 (b) *A mass transit facility, including, without limitation, an*  
32 *airport, bus station or train station;*

33 (c) *A rest area or truck stop;*

34 (d) *A massage parlor or public spa;*

35 (e) *An establishment licensed to sell alcoholic beverages by the*  
36 *drink for consumption on the premises;*

37 (f) *A sexually oriented business;*

38 (g) *A restaurant;*

39 (h) *A hospital or an independent center for emergency medical*  
40 *care;*

41 (i) *A public high school; and*

42 (j) *An employment agency or employment office.*

43 2. *The notice to be posted pursuant to subsection 1 must be*  
44 *not less than 8 1/2 by 11 inches in size and must contain a notice*  
45 *that is clearly legible and in substantially the following form:*



*If you or someone you know is being forced to engage in any activity and cannot leave—whether it is commercial sex, housework, farm work or any other activity—call the National Human Trafficking Resource Center at 1 (888) 373-7888 to access help and services.*

- *Victims of human trafficking are protected under the laws of the State of Nevada and the United States.*
- *The hotline is:*
  - *Available 24 hours a day, 7 days a week.*
  - *Toll-free.*
  - *Operated by a nonprofit, nongovernmental organization.*
  - *Anonymous and confidential.*
  - *Accessible in 170 languages.*
  - *Able to provide help, referrals to services, training and general information.*

*3. The Department of Transportation and the Department of Business and Industry shall develop a model sign as described in subsection 2 and post the sign in English, Spanish and any other language deemed appropriate by the Director of the Department of Business and Industry, on the Internet websites maintained by those Departments.*

*4. Upon request from a business or other establishment listed in subsection 1, the Department of Transportation and the Department of Business and Industry shall mail, by first-class mail to the business or other establishment, a copy of the sign described in subsection 1 in English, Spanish and any other language deemed appropriate by the Director of the Department of Business and Industry.*

*5. The Department of Transportation and the Department of Business and Industry may solicit and accept donations of signs that satisfy the requirements of this section from a nonprofit organization or any other source.*

*6. A business or other establishment that violates this section:*  
*(a) For the first violation, will receive a warning and be given 24 hours to comply with the provisions of this section.*

*(b) For the second and any subsequent violation, is subject to a civil penalty of not more than \$500.*

*↳ Each 24-hour period during which an owner or operator is not in compliance with the provisions of this section constitutes a separate violation.*

*7. As used in this section:*

*(a) "Employment agency" has the meaning ascribed to it in NRS 611.020.*



1 (b) "Employment office" has the meaning ascribed to it in  
2 NRS 612.155.

3 (c) "Hospital" has the meaning ascribed to it in NRS 449.012.

4 (d) "Independent center for emergency medical care" has the  
5 meaning ascribed to it in NRS 449.013.

6 (e) "Sexual conduct" has the meaning ascribed to it in  
7 NRS 201.520.

8 (f) "Sexually oriented business" means a business that:

9 (1) Offers a service intending to provide sexual stimulation  
10 or sexual gratification to its patrons, including, without limitation,  
11 an escort service, house of prostitution or bath house;

12 (2) Engages in its principal business by use of an employee  
13 or independent contractor who appears in the nude or who  
14 exposes his or her genitals or the female breast; or

15 (3) Represents or implies that sexual conduct takes place at  
16 the business location.

