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SENATE BILL DRS15133-LHqq-99 (03/17)

Short Title: Strengthen Human Trafficking Laws/Studies. (Public)

Sponsors: Senators Randleman, Daniel, and Brock (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT STRENGTHENING HUMAN TRAFFICKING LAWS, AUTHORIZING THE NORTH CAROLINA BOARD OF MASSAGE AND BODYWORK THERAPY TO REGULATE MASSAGE AND BODYWORK THERAPY ESTABLISHMENTS, AND AUTHORIZING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE STATE BOARD OF EDUCATION TO STUDY WAYS TO PROTECT SURVIVORS OF HUMAN TRAFFICKING AND TO EDUCATE TEACHERS AND SUPPORT PERSONNEL ABOUT WAYS TO IDENTIFY VICTIMS OF HUMAN TRAFFICKING.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-43.11 reads as rewritten:

"§ 14-43.11. **Human trafficking.**

...

(b) A person who violates this section is guilty of a Class ~~F-C~~ felony if the victim of the offense is an adult. A person who violates this section is guilty of a Class ~~E-B1~~ felony if the victim of the offense is a minor.

...."

SECTION 2. Article 27 of Chapter 14 of the General Statutes is amended by adding a new section to read as follows:

§ 14-202.13. Human trafficking public awareness sign.

An adult establishment, as defined in G.S. 14-202.10, shall prominently display on the premises in a place that is clearly conspicuous and visible to employees and the public a public awareness sign created and provided by the North Carolina Human Trafficking Commission that contains the National Human Trafficking Resource hotline information."

SECTION 3. G.S. 18B-1003 reads as rewritten:

"§ 18B-1003. **Responsibilities of permittee.**

...

(c1) Posting Human Trafficking Hotline. – All permittees shall prominently display on the premises in a place that is clearly conspicuous and visible to employees and the public a public awareness sign created and provided by the North Carolina Human Trafficking Commission that contains the National Human Trafficking Resource hotline information.

...."

SECTION 4. Article 1 of Chapter 19 of the General Statutes is amended by adding a new section to read as follows:

§ 19-8.4. Human trafficking public awareness sign.



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1 The owner, operator, or agent in charge of a business described in G.S. 19-1.2 shall
2 prominently display on the premises in a place that is clearly conspicuous and visible to
3 employees and the public a public awareness sign created and provided by the North Carolina
4 Human Trafficking Commission that contains the National Human Trafficking Resource
5 hotline information."

6 **SECTION 5.(a)** G.S. 90-621 reads as rewritten:

7 **"§ 90-621. Declaration of purpose.**

8 The purpose of this Article is to ensure the protection of the health, safety, and welfare of
9 the citizens of this State receiving massage and bodywork therapy services. This purpose is
10 achieved ~~by establishing~~by:

- 11 (1) Establishing education and testing standards that ensure competency in the
12 practice of massage and bodywork therapy. Mandatory licensure of those
13 engaged in the practice of massage and bodywork therapy assures the public
14 that each individual has satisfactorily met the standards of the profession and
15 continues to meet both the ethical and competency goals of the profession.
- 16 (2) Establishing standards for establishments that provide massage and
17 bodywork therapy services. Mandatory licensure of those who own or
18 operate massage and bodywork therapy establishments assures the public
19 that these establishments provide legal, professional services and employ
20 licensed massage and bodywork therapists who have satisfactorily met the
21 standards of the profession and continue to meet both the ethical and
22 competency goals of the profession."

23 **SECTION 5.(b)** G.S. 90-622 reads as rewritten:

24 **"§ 90-622. Definitions.**

25 The following definitions apply in this Article:

- 26 (1) Accreditation. – Status granted to a postsecondary institution of higher
27 learning that has met standards set by an accrediting agency recognized by
28 the Secretary of the United States Department of Education. The
29 accreditation for massage and bodywork schools may be institutional or
30 programmatic in nature.
- 31 (1a) Board. – The North Carolina Board of Massage and Bodywork Therapy.
- 32 (2) Board-approved school. – Any massage and bodywork therapy school or
33 training program in this State or another state that is not otherwise exempt
34 from Board approval, that has met the standards set forth in this Article, and
35 been granted approval by the Board.
- 36 (2a) Business name. – The name under which the owner applies for the
37 establishment license to provide massage therapy, if different from the name
38 of the owner.
- 39 ~~(2a)~~(2b) Criminal history record check. – A report resulting from a request made
40 by the Board to the North Carolina Department of Public Safety for a history
41 of conviction of a crime, whether a misdemeanor or felony, that bears on an
42 applicant's fitness for licensure to practice massage and bodywork therapy.
- 43 (3) Massage and bodywork therapy. – Systems of activity applied to the soft
44 tissues of the human body for therapeutic, educational, or relaxation
45 purposes. The application may include:
 - 46 a. Pressure, friction, stroking, rocking, kneading, percussion, or passive
47 or active stretching within the normal anatomical range of
48 movement.
 - 49 b. Complementary methods, including the external application of water,
50 heat, cold, lubricants, and other topical preparations.

- 1 c. The use of mechanical devices that mimic or enhance actions that
2 may possibly be done by the hands.
- 3 (3a) Massage and bodywork therapy establishment. – Any duly licensed site or
4 premises in which massage and bodywork therapy is practiced. This term
5 does not include any of the following:
- 6 a. On-site massage performed at the location of the customer.
7 b. Stand-alone devices, such as chairs, that are operated by the
8 customer.
- 9 c. Establishments located within the confines of a hospital, nursing
10 home, or other similar establishment or facility licensed or otherwise
11 regulated by the Department of Health and Human Services.
- 12 d. Massage and bodywork therapy provided by a sole practitioner.
13 e. A student clinic operated by a Board-approved school or a massage
14 and bodywork therapy program offered by community colleges in
15 North Carolina that are accredited by the Southern Association of
16 Colleges and Schools or massage and bodywork therapy programs
17 offered by a degree or diploma granting college or university
18 accredited by any accrediting agency that is recognized by the United
19 States Department of Education and licensed by the North Carolina
20 Community College System or The University of North Carolina
21 Board of Governors.
- 22 (3a)(3b) Massage and bodywork therapy school. – Any educational institution
23 that conducts a training program or curriculum for a tuition charge, which is
24 intended to teach adults the knowledge, skills, and abilities necessary for the
25 safe, effective, and ethical practice of massage and bodywork therapy.
- 26 (4) Massage and bodywork therapist. – A person licensed under this Article.
- 27 (4a) Owner. – The person, sole proprietor, partnership, limited partnership, or
28 corporation that operates the massage and bodywork therapy establishment.
- 29 (5) Practice of massage and bodywork therapy. – The application of massage
30 and bodywork therapy to any person for a fee or other consideration.
- 31 (6) Sole practitioner. – A single licensed massage and bodywork therapist
32 offering massage or bodywork therapy services from a space the licensed
33 massage and bodywork therapist controls and from which only the licensed
34 massage and bodywork therapist offers and provides the services."

35 SECTION 5.(c) The catch line of G.S. 90-623 reads as rewritten:

36 "§ 90-623. **License to practice required.**"

37 SECTION 5.(d) The catch line of G.S. 90-624 reads as rewritten:

38 "§ 90-624. **~~Exemptions.~~Activities not requiring a license to practice.**"

39 SECTION 5.(e) Subdivision (9) of G.S. 90-626 reads as rewritten:

40 "(9) Adopt, amend, or repeal any ~~rules~~of the following rules:

- 41 a. Rules necessary to carry out the purposes of this ~~Article~~ and Article.
42 b. Rules necessary to carry out the duties and responsibilities of the
43 Board, including ~~rules~~ the following:
- 44 1. Rules related to the approval of massage and bodywork
45 therapy schools, continuing education providers,
46 examinations for licensure, ~~and~~ the practice of advanced
47 techniques or ~~specialties, and massage and bodywork therapy~~
48 establishments. ~~specialties.~~ Any rules adopted or amended
49 shall take into account the educational standards of national
50 bodywork and massage therapy associations and professional
51 organizations.

2. Rules related to massage and bodywork therapy establishments."

SECTION 5.(f) G.S. 90-628(b) reads as rewritten:

"(b) The Board may impose the following fees up to the amounts listed below:below for a license to practice massage and bodywork therapy:

- (1) Application for license\$20.00
- (2) Initial license fee150.00
- (3) License renewal.....100.00
- (4) Late renewal penalty75.00
- (5) Repealed by Session Laws 2008-224, s. 8, effective August 17, 2008.
- (6) Duplicate license25.00
- (7) Repealed by Session Laws 2008-224, s. 8, effective August 17, 2008."

SECTION 5.(g) G.S. 90-629 reads as rewritten:

"§ 90-629. Requirements for licensure.licensure to practice.

Upon application to the Board and the payment of the required fees, an applicant may be licensed as a massage and bodywork therapist if the applicant meets all of the following qualifications:

- (1) Has obtained a high school diploma or equivalent.
- (2) Is 18 years of age or older.
- (3) Is of good moral character as determined by the Board.
- (4) Has successfully completed a training program consisting of a minimum of 500 in-class hours of supervised instruction at a Board-approved school.
- (5) Has passed a competency assessment examination that meets generally accepted psychometric principles and standards and is approved by the Board.
- (6) Has submitted fingerprint cards in a form acceptable to the Board at the time the license application is filed and consented to a criminal history record check by the North Carolina Department of Public Safety.
- (7) Demonstrates satisfactory proof of proficiency in the English language."

SECTION 5.(h) G.S. 90-629.1 reads as rewritten:

"§ 90-629.1. Criminal history record checks of applicants for licensure.licensure to practice and for ownership or operation of an establishment.

(a) All applicants for licensure to practice massage and bodywork therapy or to operate a massage and bodywork therapy establishment shall consent to a criminal history record check. Refusal to consent to a criminal history record check may constitute grounds for the Board to deny licensure to an applicant. The Board shall ensure that the State and national criminal history of an applicant is checked. The Board shall be responsible for providing to the North Carolina Department of Public Safety the fingerprints of the applicant to be checked, a form signed by the applicant consenting to the criminal record check and the use of fingerprints and other identifying information required by the State or National Repositories, and any additional information required by the Department of Public Safety. The Board shall keep all information obtained pursuant to this section confidential.

...."

SECTION 5.(i) The catch line of G.S. 90-630.1 reads as rewritten:

"§ 90-630.1. Licensure to practice by endorsement."

SECTION 5.(j) G.S. 90-632 is recodified as G.S. 90-630.5 and reads as rewritten:

"§ 90-630.5. License renewal andRenewal of license to practice and license to operate massage and bodywork therapy establishment; continuing education.

(a) The license to practice and the license to operate a massage and bodywork therapy establishment under this Article shall be renewed every two years.

1 (b) The continuing education requirement for the renewal of an initial license renewal
2 to practice is as follows:

3 (1) If the licensure period is two years or more, each licensee shall submit to the
4 Board evidence of the successful completion of at least 24 hours of study, as
5 approved by the Board, since the initial licensure application date in the
6 practice of massage and bodywork therapy.

7 (2) If the licensure period is less than two years, but more than one year, each
8 licensee shall submit to the Board evidence of the successful completion of
9 at least 12 hours of study, as approved by the Board, since the initial
10 licensure application date in the practice of massage and bodywork therapy.

11 (c) For subsequent renewals of a license renewals, to practice, each licensee shall submit
12 to the Board evidence of the successful completion of at least 24 hours of study, as approved by
13 the Board, since the previous licensure renewal submission date in the practice of massage and
14 bodywork therapy."

15 **SECTION 5.(k)** Article 36 of Chapter 90 of the General Statutes is amended by
16 adding new sections to read:

17 **"§ 90-632.10. Massage and bodywork therapy establishment license required.**

18 The Board shall license massage and bodywork therapy establishments in this State for the
19 purpose of protecting the health, safety, and welfare of the public. Unless otherwise exempt
20 from the Board licensure process, no individual, association, partnership, corporation, or other
21 entity shall open, operate, or advertise a massage and bodywork therapy establishment in this
22 State unless it has first been licensed by the Board. The Board shall maintain a list of licensed
23 massage and bodywork therapy establishments operating pursuant to this Article.

24 **"§ 90-632.11. Requirements for massage and bodywork therapy establishment licensure.**

25 (a) Any person who wishes to operate a massage and bodywork therapy establishment
26 shall obtain a license from the Board by submitting a massage and bodywork therapy
27 establishment licensure application accompanied by all of the following:

28 (1) The applicable fee set forth in G.S. 90-632.14.

29 (2) Proof of property damage and bodily injury liability insurance coverage in
30 the name of the owner or, if the establishment is operated under a business
31 name, in the name of both the owner and the business.

32 (3) Prior licensure and disciplinary history, including verifications from all
33 North Carolina licensing boards from which the owner holds or has held any
34 health related professional license.

35 (4) Fingerprint cards submitted in accordance with G.S. 90-629.1 at the time the
36 license application is filed and consented to a criminal history record check
37 by the Department of Public Safety.

38 (5) Ownership information, including at least all of the following:

39 a. Type of ownership.

40 b. Name of owner.

41 c. Name of authorized representative.

42 d. Address of establishment.

43 e. Social Security number or federal tax identification number.

44 f. E-mail address.

45 g. Current phone number.

46 h. Hours of operation.

47 (6) Proof of good moral character as determined by the Board.

48 (7) Signature of all owners or authorized corporate representatives or both.

49 (8) A successfully completed self-evaluation inspection report demonstrating
50 compliance with this section and any rules adopted pursuant to
51 G.S. 90-632.13.

(9) Proof that the establishment employs, hires, or plans to employ or hire one or more massage and bodywork therapists who hold a current license from the Board.

(b) The application for licensure shall be submitted in the name of the owner or owners of the establishment. If the owner is a corporation, the application shall be submitted in the name of the corporation and shall be signed by a corporate representative.

§ 90-632.12. Operation of a massage and bodywork therapy establishment under a name different than the owner; advertisement.

(a) An owner may operate a licensed massage and bodywork therapy establishment under a name other than the name of the owner, provided such name is submitted to the Board on the application for licensure.

(b) Any advertisement by the massage and bodywork therapy establishment shall include the establishment's business name and shall comply with 21 NCAC 30 .0404.

§ 90-632.13. Rules for massage and bodywork therapy establishment license.

The Board shall establish rules for the licensure of massage and bodywork therapy establishments. These rules shall include at least all of the following:

- (1) Requirements for adequate, safe, and sanitary facilities.
- (2) Requirements for compliance with local building code requirements, State fire safety codes, and State health inspection codes necessary to ensure the safe and effective practice of massage and bodywork therapy.
- (3) Requirements for retention of client and ownership records.
- (4) A description of the process used by the Board to approve massage and bodywork therapy establishment licenses.
- (5) Requirements for initial and periodic inspections of massage and bodywork therapy establishments.
- (6) Requirements for transfer of a massage and bodywork therapy establishment license.
- (7) A requirement that each massage and bodywork therapy establishment prominently display on the premises in a place that is clearly conspicuous and visible to employees and the public a public awareness sign created and provided by the North Carolina Human Trafficking Commission that contains the National Human Trafficking Resource hotline information.

§ 90-632.14. Fees for massage and bodywork therapy establishment license.

(a) The Board may impose the following fees up to the amounts listed below for massage and bodywork therapy establishment licensure:

(1)	<u>Application for license</u>	<u>\$20.00</u>
(2)	<u>Initial license fee</u>	<u>150.00</u>
(3)	<u>License renewal.....</u>	<u>100.00</u>
(4)	<u>Late renewal penalty</u>	<u>75.00</u>
(5)	<u>Duplicate license</u>	<u>25.00</u>
(6)	<u>Inspection of establishment.....</u>	<u>150.00</u>

(b) All fees listed in subsection (a) of this section shall be paid in the form of a cashier's check, certified check, or money order made payable to the North Carolina Board of Massage and Bodywork Therapy and shall be nonrefundable.

§ 90-632.15. Grounds for suspension, revocation, or refusal of massage and bodywork therapy license; notice and hearing; judicial review.

(a) The Board may deny, suspend, revoke, discipline, or refuse to approve a massage and bodywork therapy establishment for any of the following reasons:

- (1) The employment of fraud, deceit, or misrepresentation in obtaining or attempting to obtain a massage and bodywork therapy establishment license.

- 1 (2) Engaging in any act or practice in violation of any of the provisions of this
2 Article or of any of the rules adopted by the Board or aiding, abetting, or
3 assisting any other person in the violation of the provisions of this Article or
4 rules adopted by the Board.
- 5 (3) Failure to require that its employees or independent contractors be currently
6 licensed by the Board.
- 7 (4) Operating a massage and bodywork therapy establishment without a license
8 from this Board.
- 9 (5) Engaging in conduct that could result in harm or injury to the public.
- 10 (6) The employment of fraud, deceit, or misrepresentation when communicating
11 with the general public, health care professionals, or other business
12 professionals.
- 13 (7) Falsely holding out a massage and bodywork therapy establishment as
14 licensed by this Board.
- 15 (8) Failure to allow authorized representatives of the Board to conduct
16 inspections of the massage and bodywork therapy establishment or refusing
17 to make available to the Board, following written notice to the massage and
18 bodywork therapy establishment, the requested information pertaining to the
19 requirements for approval set forth in this Article.
- 20 (9) Failure to notify the Board in writing within 30 days of any notification it
21 receives from any state, local, or federal court or agency of a show cause
22 action, probation action, or denial of licensure or approval.
- 23 (10) The applicant for or holder of a massage and bodywork therapy license has
24 pleaded guilty, entered a plea of nolo contendere, or has been found guilty of
25 a crime involving moral turpitude by a judge or jury in any state or federal
26 court.

27 (b) A refusal to issue, refusal to renew, or suspension or revocation of a massage and
28 bodywork therapy establishment license under this section shall be made in accordance with
29 Chapter 150B of the General Statutes.

30 **"§ 90-632.16. Unlicensed massage and bodywork therapy prohibited at massage and**
31 **bodywork therapy establishments.**

32 A massage and bodywork therapy establishment shall not employ or contract with any
33 person in this State to provide massage and bodywork therapy unless that person holds a
34 current license to practice massage and bodywork therapy issued pursuant to this Article.

35 **"§ 90-632.17. Sexual activity prohibited.**

36 (a) Sexual activity by any person or persons in any massage and bodywork therapy
37 establishment is unlawful and prohibited.

38 (b) No owner shall engage in or permit any person or persons to engage in sexual
39 activity in the owner's massage and bodywork therapy establishment. No owner shall engage in
40 or permit any person or persons to use the owner's massage and bodywork therapy
41 establishment to make arrangements to engage in sexual activity in any other place.

42 **"§ 90-632.18. Enforcement; injunctive relief against massage and bodywork therapy**
43 **establishments.**

44 The Board may utilize the enforcement and injunctive relief set forth in G.S. 90-634 and
45 assess civil penalties and disciplinary costs as provided in G.S. 90-634.1 to address violations
46 of G.S. 90-632.10 through G.S. 90-632.17, any rules adopted pursuant to G.S. 90-632.13, or
47 any other laws or rules applicable to the operation of a massage and bodywork therapy
48 establishment."

49 SECTION 5.(I) G.S. 90-634 reads as rewritten:

50 **"§ 90-634. Enforcement; injunctive relief.**

1 (a) It is unlawful for a person not licensed or exempted under this Article to engage in
2 any of the following:

3 (1) Practice of massage and bodywork therapy.

4 (2) Advertise, represent, or hold out himself or herself to others to be a massage
5 and bodywork therapist.

6 (3) Use any title descriptive of any branch of massage and bodywork therapy, as
7 provided in G.S. 90-623, to describe his or her practice.

8 (b) A person who violates subsection (a) of this section shall be guilty of a Class 1
9 misdemeanor.

10 (b1) Unless exempt from the approval process, it is unlawful for an individual,
11 association, partnership, corporation, or other entity to open, operate, or advertise a massage
12 and bodywork therapy school without first having obtained the approval required by
13 G.S. 90-631.1.

14 (b2) An individual, association, partnership, corporation, or other entity that violates
15 subsection (b1) of this section shall be guilty of a Class 3 misdemeanor.

16 (b3) It is unlawful for a person, individual, association, partnership, corporation, or other
17 entity to do any of the following:

18 (1) Employ, hire, engage, or otherwise contract with a person who is not
19 licensed or exempted under this Article to provide massage and bodywork
20 therapy services to the public.

21 (2) Aid and abet any person not licensed or exempted under this Article in the
22 practice of massage and bodywork therapy.

23 (3) Advertise, represent, or hold out any person not licensed or exempted under
24 this Article to others as a massage and bodywork therapist.

25 (4) Describe the practice of any person not licensed or exempted under this
26 Article or use any title descriptive of any branch of massage and bodywork
27 therapy to reference any such person in violation of G.S. 90-623.

28 (b4) A person who violates subsection (b3) of this section shall be guilty of a Class 1
29 misdemeanor.

30 (c) The Board may make application to superior court for an order enjoining a violation
31 of this Article. Upon a showing by the Board that a person, association, partnership,
32 corporation, or other entity has violated or is about to violate this Article, the court may grant
33 an injunction, restraining order, or take other appropriate action."

34 **SECTION 6.** Article 5 of Chapter 131E of the General Statutes is amended by
35 adding a new section to read as follows:

36 **"§ 131E-84.1. Human trafficking public awareness sign.**

37 Each hospital licensed under this Article shall prominently display in its emergency room
38 or emergency department in a place that is clearly conspicuous and visible to employees and
39 the public a public awareness sign created and provided by the North Carolina Human
40 Trafficking Commission that contains the National Human Trafficking Resource hotline
41 information."

42 **SECTION 7.** G.S. 143B-348 reads as rewritten:

43 **"§ 143B-348. Department of Transportation – head; rules, regulations, etc., of Board of**
44 **Transportation.**

45 (a) The Secretary of Transportation shall be the head of the Department of
46 Transportation. He shall carry out the day-to-day operations of the Department and shall be
47 responsible for carrying out the policies, programs, priorities, and projects approved by the
48 Board of Transportation. He shall be responsible for all other transportation matters assigned to
49 the Department of Transportation, except those reserved to the Board of Transportation by
50 statute. Except as otherwise provided for by statute, the Secretary shall have all the powers and
51 duties as provided for in Article 1 of Chapter 143B including the responsibility for all

1 management functions for the Department of Transportation. The Secretary shall be vested
2 with authority to adopt design criteria, construction specifications, and standards as required for
3 the Department of Transportation to construct and maintain highways, bridges, and ferries. The
4 Secretary or the Secretary's designee shall be vested with authority to promulgate rules and
5 regulations concerning all transportation functions assigned to the Department.

6 (b) All rules, regulations, ordinances, specifications, standards, and criteria adopted by
7 the Board of Transportation and in effect on July 1, 1977, shall continue in effect until changed
8 by the Board of Transportation or the Secretary of Transportation. The Secretary shall have
9 complete authority to modify any of these matters existing on July 1, 1977, except as
10 specifically restricted by the Board. Whenever any such criteria, rule, regulation, ordinance,
11 specification, or standards are continued in effect under this section and the words "Board of
12 Transportation" are used, the words shall mean the "Department of Transportation" unless the
13 context makes such meaning inapplicable. All actions pending in court by or against the Board
14 of Transportation may continue to be prosecuted in that name without the necessity of formally
15 amending the name to the Department of Transportation.

16 (c) The Secretary of Transportation shall require that every transportation station, rest
17 area, and welcome center in the State prominently display in a place that is clearly conspicuous
18 and visible to employees and the public a public awareness sign created and provided by the
19 North Carolina Human Trafficking Commission that contains the National Human Trafficking
20 Resource hotline information."

21 **SECTION 8.** Article 10 of Chapter 143B of the General Statutes is amended by
22 adding a new section to read as follows:

23 **"§ 143B-431.3. Human trafficking public awareness sign.**

24 The Secretary of the Department of Commerce shall require that every Joblink or other
25 center under its authority that offers employment or training services to the public prominently
26 display in a place that is clearly conspicuous and visible to employees and the public a public
27 awareness sign created and provided by the North Carolina Human Trafficking Commission
28 that contains the National Human Trafficking Resource hotline information."

29 **SECTION 9.** In consultation with the North Carolina Human Trafficking
30 Commission, the Department of Health and Human Services shall study the feasibility of
31 training health care providers, emergency medical providers, and relevant first responders in
32 human trafficking identification and response and preventative tools and methods. The
33 Department shall report its findings and recommendations to the Joint Legislative Oversight
34 Committee on Justice and Public Safety, the Joint Legislative Oversight Committee on Health
35 and Human Services, the Human Trafficking Commission, and the Governor no later than
36 February 1, 2018.

37 **SECTION 10.** In consultation with the North Carolina Human Trafficking
38 Commission, the State Board of Education shall develop a policy requiring, at a minimum, that
39 local education agencies and charter schools provide evidence-based or evidence-informed
40 training at least once every three years to educators and support personnel about sexual abuse
41 and sex trafficking of minors, including identification, response, and preventative tools and
42 methods. The policy shall require training on (i) tools and methods for preventing sexual abuse
43 and sex trafficking of minors, (ii) methods of recognizing sexual abuse and sex trafficking of
44 minors, including common warning signs indicating a minor might be a victim of sexual abuse
45 or sex trafficking, (iii) actions an educator or support personnel can or should take when they
46 identify a minor who is a potential victim of sexual abuse or sex trafficking, (iv) actions a
47 minor victim of sexual abuse or sex trafficking or the minor's parent, legal custodian, guardian,
48 or caregiver can take to obtain assistance and intervention for the minor, (v) available
49 counseling, child advocacy center options, and other services available for minors affected by
50 sexual abuse or sex trafficking, and (vi) mandatory reporting laws provided in Chapter 7B of
51 the General Statutes. The training required by this section shall be objective and based upon

1 peer reviewed scientific research that is accepted by professionals and credentialed experts in
2 the field of sexual health education. Materials used in the training shall be age appropriate if
3 intended for use with students. The State Board of Education shall report to the Joint
4 Legislative Education Oversight Committee on the policy developed under this section no later
5 than February 1, 2018.

6 **SECTION 11.** Section 5 of this act becomes effective October 1, 2017. The
7 remainder of this act is effective when it becomes law.