

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 626
PROPOSED COMMITTEE SUBSTITUTE S626-PCS45316-CE-14

Short Title: Modify Laws Relating to Human Trafficking.

(Public)

Sponsors:

Referred to:

April 6, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY LAWS RELATING TO HUMAN TRAFFICKING, AS
3 RECOMMENDED BY THE NORTH CAROLINA HUMAN TRAFFICKING
4 COMMISSION.

5 The General Assembly of North Carolina enacts:

6
7 **EXPAND RIGHTS TO PERMANENT NO-CONTACT ORDERS FOR VICTIMS OF**
8 **HUMAN TRAFFICKING OFFENSES**

9 SECTION 1.(a) Chapter 50D of the General Statutes reads as rewritten:

10 "Chapter 50D.

11 "**Permanent Civil No-Contact Order Against Human Traffickers and Sex Offender on**
12 **Behalf of Crime Victim. Offenders.**

13 "**§ 50D-1. Definitions.**

14 The following definitions apply in this Chapter:

- 15 (1) Human trafficking offense. – Any criminal offense under Article 10A of
16 Chapter 14 of the General Statutes that is not a sex offense.
17 ~~(1)~~(1a) Permanent civil no-contact order. – A permanent injunction that prohibits any
18 contact by a respondent with the victim of a human trafficking offense or sex
19 offense for which the respondent is convicted.
20 (2) Respondent. – The person who committed the human trafficking offense or
21 sex offense.
22 (3) Sex offense. – Any criminal offense that requires registration under Article
23 27A of Chapter 14 of the General Statutes.
24 (4) Victim. – The person against whom the human trafficking offense or sex
25 offense was committed.

26 "**§ 50D-2. Commencement of action; filing fees not permitted; assistance.**

27 (a) An action is commenced under this Chapter by filing a verified complaint for a
28 permanent civil no-contact order in district court or by filing a motion in any existing civil action,
29 by any of the following:

- 30 (1) A person who is the victim of a human trafficking offense or sex offense that
31 occurs in this State.
32 (2) A competent adult who resides in this State on behalf of a minor child who is
33 the victim of a human trafficking offense or sex offense that occurs in this
34 State.



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(3) A competent adult who resides in this State on behalf of an incompetent adult who is the victim of a human trafficking offense or sex offense that occurs in this State.

...
(c) An action commenced under this Chapter may be filed in any county permitted under G.S. 1-82 or where the respondent was convicted of the human trafficking offense or sex offense.

...
"§ 50D-5. Remedy.

(a) If the court finds all of the following, the court may issue a permanent civil no-contact order:

(1) The respondent was convicted of committing a human trafficking offense or sex offense against the victim.

...."

SECTION 1.(b) This section becomes effective August 1, 2023, and applies to actions filed on or after that date.

PROHIBIT THE DENIAL OR REDUCTION OF AN AWARD FROM THE CRIME VICTIMS' COMPENSATION FUND SOLELY DUE TO CONDUCT OCCURRING WHILE THE CLAIMANT WAS A VICTIM OF HUMAN TRAFFICKING

SECTION 2.(a) G.S. 15B-11(b) reads as rewritten:

"(b) A claim may be denied or an award of compensation may be reduced ~~if~~ if either:

(1) The victim was participating in a nontraffic misdemeanor at or about the time that the victim's injury ~~occurred; or occurred,~~ unless the victim is a victim as defined by G.S. 14-43.10(a) and was coerced or deceived into participating in the nontraffic misdemeanor as a direct result of the person's status as a victim.

(2) The claimant or a victim through whom the claimant claims engaged in contributory ~~misconduct~~ misconduct, unless the claimant or victim through whom the claimant claims is a victim as defined by G.S. 14-43.10(a) and was coerced or deceived into participating in the contributory misconduct as a direct result of the person's status as a victim."

SECTION 2.(b) This section is effective when it becomes law and applies to denials or award reductions issued on or after that date.

EXPAND CONDUCT CONSTITUTING A CRIME OF HUMAN TRAFFICKING AND A CRIME OF SEXUAL SERVITUDE

SECTION 3.(a) G.S. 14-43.11(a) reads as rewritten:

"(a) A person commits the offense of human trafficking when that person (i) knowingly or in reckless disregard of the consequences of the action recruits, entices, harbors, transports, provides, patronizes, solicits, or obtains by any means another person with the intent that the other person be held in involuntary servitude or sexual servitude or (ii) willfully or in reckless disregard of the consequences of the action causes a minor to be held in involuntary servitude or sexual servitude."

SECTION 3.(b) G.S. 14-43.13(a) reads as rewritten:

"(a) A person commits the offense of sexual servitude when that person knowingly or in reckless disregard of the consequences of the action subjects, maintains, patronizes, solicits, or obtains another for the purposes of sexual servitude."

SECTION 3.(c) This section becomes effective December 1, 2023, and applies to offenses committed on or after that date.

EFFECTIVE DATE

1 **SECTION 4.** Except as otherwise provided, this act is effective when it becomes
2 law.