

FAILED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 83

AMENDMENT NO. A2
(to be filled in by
Principal Clerk)

H83-ABNa-43 [v.2]

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Amends Title [YES]
Third Edition

Date _____, 2026

Senator Batch

1 moves to amend the bill on page 1, line 10, by inserting the following between the word
2 "TRAFFICKING;" and the word "AND" on that line:

3
4 "TO REQUIRE HUMAN TRAFFICKING AWARENESS TRAINING FOR CERTAIN
5 EMPLOYERS AND TO APPROPRIATE FUNDS FOR THAT PURPOSE; TO EXPAND THE
6 CIVIL CAUSE OF ACTION AVAILABLE TO VICTIMS OF HUMAN TRAFFICKING; TO
7 EXPAND THE MANDATORY RESTITUTION AVAILABLE TO VICTIMS OF HUMAN
8 TRAFFICKING;"

9
10 and on page 3, lines 12-13, by inserting the following between those lines:

11 **"HUMAN TRAFFICKING AWARENESS TRAINING**

12 **SECTION 2A.(a)** Chapter 95 of the General Statutes is amended by adding a new
13 Article to read:

14 "Article 24.

15 "Human Trafficking Awareness Training.

16 **"§ 95-300. Human trafficking awareness training.**

17 (a) The following definitions apply in this section:

18 (1) Covered employer. – Any of the following:

- 19 a. An agricultural employer who employs five or more workers,
20 including H-2A visa workers and farm labor contractors.
21 b. A general contractor licensed under Article 1 of Chapter 87 of the
22 General Statutes or a person or subcontractor working under the
23 supervision of a licensed general contractor engaged in construction.

24 (2) Employee. – As defined in G.S. 130A-492.

25 (3) Employer. – As defined in G.S. 130A-492.

26 (b) Each covered employer and its employees shall complete human trafficking
27 awareness training that includes information on the following:

- 28 (1) How to recognize the signs of labor trafficking.
29 (2) Employee rights under State and federal law.
30 (3) How to report suspected human trafficking.

31 (c) Any H-2A visa worker required to complete the training under subsection (b) of this
32 section shall have the training provided in his or her primary language.



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1 (d) The Department of Labor shall impose an administrative penalty against any covered
2 employer who willfully and knowingly violates the requirements of this section in the amount of
3 fifteen thousand dollars (\$15,000) for each violation. The clear proceeds of penalties assessed
4 under this subsection shall be remitted to the Civil Penalty and Forfeiture Fund in accordance
5 with G.S. 115C-457.2."

6 SECTION 2A.(b) The Department of Labor shall develop or identify a human
7 trafficking awareness training program that complies with G.S. 95-300, as enacted by this
8 section, and make that training program available electronically no later than October 1, 2026.

9 SECTION 2A.(c) Notwithstanding G.S. 115C-562.8 and any other provision of law
10 to the contrary, for the 2026-2027 fiscal year, the State Education Assistance Authority shall
11 transfer to the Department of Labor the sum of twenty million dollars (\$20,000,000) in
12 nonrecurring funds from the funds appropriated to the Opportunity Scholarship Grant Fund
13 Reserve for the 2026-2027 fiscal year for the human trafficking awareness training program
14 required by G.S. 95-300, as enacted by this section.

15 SECTION 2A.(d) Subsection (c) of this section is effective July 1, 2026. The
16 remainder of this section is effective when it becomes law.

17
18 **CIVIL CAUSE OF ACTION**

19 SECTION 2B.(a) G.S. 14-43.18 reads as rewritten:

20 "**§ 14-43.18. Civil cause of action; damages and attorneys' fees; limitation.**

21 (a) Cause of Action. – An individual who is a victim may bring a civil action against any
22 of the following:

23 (1) ~~a~~A person who violates this ~~Article~~Article.~~or~~

24 (2) ~~a~~A person who knowingly benefits financially or by receiving anything of
25 value from participation in a venture which that person knew or should have
26 known violates this Article.

27 (3) A business entity that had actual or constructive knowledge of a violation of
28 this Article occurring on its premises that failed to take reasonable steps to
29 prevent the occurrence.

30 (4) A covered employer, as defined in G.S. 95-300, that failed to complete the
31 human trafficking awareness training required in Article 24 of Chapter 95.

32"

33 SECTION 2B.(b) This section is effective when it becomes law and applies to any
34 civil claims filed on or after that date.

35
36 **MANDATORY RESTITUTION**

37 SECTION 2C.(a) G.S. 14-43.20 reads as rewritten:

38 "**§ 14-43.20. Mandatory restitution; victim services; forfeiture.**

39 ...

40 (b) Restitution. – Restitution for a victim is mandatory under this Article. ~~At a minimum,~~
41 ~~the~~The court shall order restitution in an amount equal to the value of the victim's labor as
42 guaranteed under the Minimum Wage Law and overtime provisions of the Fair Labor Standards
43 Act (FLSA). In addition, the judge ~~may~~shall order any other amount of loss identified, including

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1 reasonable attorneys' fees, the gross income or value to the defendant of the victim's labor or
2 services and any costs reasonably certain to be incurred by or on behalf of the victim for medical
3 care, psychological treatment, temporary housing, transportation, funeral services, and any other
4 services designed to assist a victim recover from any injuries or loss resulting from an offense
5 committed under G.S. 14-43.11, 14-43.12, or 14-43.13.
6"
7 **SECTION 2C.(b)** Prosecutions for offenses committed before the effective date of
8 this section are not abated or affected by this section, and the statutes that would be applicable
9 but for this section remain applicable to those prosecutions.
10 **SECTION 2C.(c)** This section becomes effective December 1, 2026, and applies to
11 offenses committed on or after that date."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
Senate Principal Clerk's Office**