

Department of Legislative Services  
Maryland General Assembly  
2015 Session

FISCAL AND POLICY NOTE

Senate Bill 521

(Senator Lee, *et al.*)

Judicial Proceedings

Judiciary

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Workgroup to Study Safe Harbor Policy for Youth Victims of Human  
Trafficking

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This bill establishes the Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking to study legal protections and the provision of services for youth victims of human trafficking. By December 1, 2015, the workgroup must report its findings and recommendations to the Governor and the General Assembly. The Governor's Office of Crime Control and Prevention (GOCCP) must provide staff for the workgroup.

The bill takes effect June 1, 2015, and terminates June 30, 2016.

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Fiscal Summary

**State Effect:** Any expense reimbursements for workgroup members and staffing costs for GOCCP are assumed to be minimal and absorbable with existing budgeted resources.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Bill Summary:** The workgroup must:

- compile existing information on and identify the needs of youth victims of human trafficking and identify the public and private-sector programs and resources currently available to meet those needs;

- identify gaps in public and private-sector programs and resources currently available to meet the needs of youth victims of human trafficking;
- collect and compile data on the number of youth victims of human trafficking in the State, including the number of youth victims in each jurisdiction of the State;
- evaluate current State safe harbor policies and legal protections for youth victims of human trafficking; and
- make recommendations regarding (1) legislation and policy initiatives to address the provision of services and legal protections for youth victims of human trafficking; (2) the collection of data to identify youth victims of human trafficking; (3) funding requirements and budgetary priorities; and (4) any other relevant issues or considerations identified by the workgroup.

The Governor must designate the chair of the workgroup. A member of the workgroup may not receive compensation but is entitled to reimbursement for expenses under the standard State travel regulations, as provided in the State budget.

**Background:** According to the National Conference of State Legislatures, at least 28 states have enacted legislation addressing safe harbor issues for youth victims of human trafficking. Common goals of safe harbor laws include treatment of youth as victims instead of subjecting them to prosecution as prostitutes, diversion of youth victims away from the justice system and toward appropriate services, protective responses by states to prevent further victimization of youth victims, and appropriate punishment for individuals who fund, profit from, or pay for sex with children.

**State Expenditures:** The Department of Health and Mental Hygiene (DHMH) advises that the Secretary's designee for the workgroup would come from the Prevention and Health Promotion Administration (PHPA), and that the additional workload for PHPA requires a part-time permanent position Physician Clinical Specialist to provide consultative support, data collection, and drafting input for the workgroup. The Department of Legislative Services disagrees and notes that representation on the workgroup can likely be handled with existing budgeted resources. The bill does not require DHMH's representative to be a medical professional. Also, the workgroup's duties appear to be of a data compilation and analysis nature and do not appear to require a medical professional's expertise.

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## Additional Information

**Prior Introductions:** None.

**Cross File:** HB 456 (Delegate Morales, *et al.*) - Judiciary.

**Information Source(s):** Governor's Office of Crime Control and Prevention, Department of Health And Mental Hygiene, National Conference of State Legislatures, Department of Legislative Services

**Fiscal Note History:** First Reader - February 26, 2015  
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