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**California Legislation Enacted in 2014**

**Impacting Survivors of Human Trafficking**

**SB 477 (Steinberg) Foreign Labor Contractors: registration**

*An act to amend Sections 9998.1, 9998.6, and 9998.8 of, to add Sections 9998.1.5, 9998.2.5, 9998.10, and 9998.11 to, and to repeal and add Section 9998.2 of, the Business and Professions Code, relating to foreign labor contractors.*

SB 477 requires a foreign labor contractor to register with the Labor Commissioner. Each foreign labor contractor is required to disclose information about the foreign workers it recruits, and prohibits them from charging a recruitment fee to foreign workers. The bill also prohibits charging a foreign worker with any costs not normally associated with similarly situated workers, and limits housing fees to the market rate for similar housing. The bill also limits changes to the foreign workers’ original contracts.

In addition, the bill empowers the Labor Commissioner to enforce and administer the registration and supervision of foreign labor contractors, including the promulgation of regulations, policies or procedures to implement this provision. The bill authorizes civil penalties for violations of these provisions, and allows for an individual to bring a civil suit to recover for damages and reasonable attorney’s fees. A violation of the provisions regulating foreign labor contractors is a misdemeanor.

**SB 1087 (Monning) Farm labor contractors**

*An act to amend Sections 1684, 1685, 1690, 1690.1, 1694, 1695, 1695.55, 1696.2, 1696.5, and 1697 of the Labor Code, relating to farm labor contractors, and making an appropriation therefor.*

SB 1087 strengthens measures to prevent sexual harassment from farm contractors.

The bill prohibits persons who have been found to have engaged in sexual harassment in the last 3 years, as well as persons who knowingly hire others who have engaged in sexual harassment, from receiving a license to operate as a farm labor contractor.

The bill also authorizes the Labor Commissioner to revoke a labor contractor’s license if they are found to be in violation of the above provisions.

Furthermore, the bill requires training on preventing sexual assault, and adds a sexual harassment knowledge component to the existing farm contractor license examination.

**AB 1791 (Maienschein) Prostitution: minors**

*An act to amend Section 647 of the Penal Code, relating to disorderly conduct.*

AB 1791 increases the penalties associated with minors engaging in prostitution, a misdemeanor crime. The bill raises the maximum sentence from 6 months to 2 years, and the maximum fine from $1,000 to $2,000.

**AB 1585 (Alejo) Human trafficking**

*An act to amend Sections 8712, 8811, and 8908 of the Family Code, and to amend Section 11105 of, and to add Section 1203.49 to, the Penal Code, relating to human trafficking.*

AB 1585 would allow victims of human trafficking who have been convicted of prostitution or solicitation to petition the court for relief. The court is authorized to dismiss the charges.

The bill also excludes such convictions from criminal records.

**SB 955 (Mitchell) Interception of electronic communications**

*An act to amend Section 629.52 of the Penal Code, relating to interception of electronic communications.*

SB 955 allows law enforcement to intercept wire, oral, and electronic communications in cases of human trafficking.

**SB 1388 (Lieu) Human trafficking.**

*An act to amend Sections 266k and 647 of the Penal Code, relating to human trafficking.*

SB 1388 increases the punishment for persons soliciting a minor for prostitution, if the defendant knew or should have known that the person who was solicited was a minor. The bill raises the maximum sentence from one year to a sentence of not less than 2 days to one year, and the maximum fine from $1,000 to $10,000. The minimum 2-day sentence can be reduced or eliminated by the court.

The bill also raises the amount of the additional fine that may be imposed for placing a minor into prostitution or furnishing a minor to another person for sexual conduct from $20,000 to $25,000.

**SB 1165 (Mitchell) Pupil instruction: sexual abuse and sex trafficking prevention education.**

*An act to add Section 33545 to, to add Article 7 (commencing with Section 49380) to Chapter 8 of Part 27 of Division 4 of Title 2 of, and to add Chapter 5.8 (commencing with Section 51950) to Part 28 of Division 4 of Title 2 of, the Education Code, relating to pupil instruction.*

SB 1165 requires the Instructional Quality Commission to consider developing and recommending sexual abuse and sex trafficking prevention education as part of their publication, “Health Framework for California Public Schools.”

The bill also authorizes school districts to include sexual abuse and sex trafficking prevention education, and encourages them to collaborate with outside consultants for the creation of school safety plans to address these issues.

**AB 1147 (Bonilla) Massage therapy.**

*An act to amend Section 460 of, and to add and repeal Chapter 10.5 (commencing with Section 4600) of Division 2 of, the Business and Professions Code, and to amend Section 51034 of the Government Code, relating to healing arts.*

AB 1147 establishes a board of directors for the California Massage Therapy Council, which certifies massage practitioners in the state. The bill authorizes the Council to deny an application for a practitioner certificate, or discipline a certificate holder for engaging in unprofessional conduct, including sexually suggestive marketing or providing sexual services along with massages.

The council will be required to develop procedures to approve schools that provide education required for certification.

Cities and counties are authorized to adopt or enforce local ordinances governing zoning, licensing, and reasonable health and safety requirements for licensed or certified healing arts professionals, including certified massage therapists.

**SB 782 (DeSauliner) Income taxes: voluntary contributions: California Sexual Violence Victim Services Fund**

*An act to add and repeal Article 13.51 (commencing with Section 18846) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.*

SB 782 allows for a taxpayer to voluntarily contribute towards the California Sexual Violence Victims Fund. The balance of this fund will be transmitted to the Office of Emergency Services for use by rape crisis centers.

**SB 939 (Block) Criminal jurisdiction.**

*An act to amend Section 784.7 of, and to repeal Section 784.8 of, the Penal Code, relating to criminal jurisdiction.*

SB 939 allows for a court to have jurisdiction over multiple offenses of human trafficking, pimping, and pandering, if the district attorneys from each county in which an offense occurred agree to the venue.

**AB 1610 (Bonta) Material witnesses: human trafficking**

*An act to amend Sections 1335 and 1337 of the Penal Code, relating to material witnesses.*

In a criminal human trafficking case, a Court can allow the conditional examination of a witness or victim in certain cases if there is evidence that the victim or witness has been intimidated from testifying, or if they are under the control of the defendant who is preventing them from testifying.

**AB 1623 (Atkins)**

*An act to add Title 5.3 (commencing with Section 13750) to Part 4 of the Penal Code, relating to family justice centers.*

This bill authorizes any city, county, or community-based nonprofit organization to establish a multiagency, multidisciplinary family justice center to assist victims of domestic violence, sexual assault, elder or dependent adult abuse, and human trafficking. The bill also specifies additional confidentiality provisions relating to information disclosed by a victim in a family justice center. Requires each center to maintain mandatory training for all staff members, volunteers, and agency professionals and to consult with community-based crime victim agencies, survivors of violence and abuse, and their advocates in the operations process of the family justice center. The family justice center must maintain mandatory training for all staff and volunteers. The goal of this bill is to develop a procedure for input, feedback, and evaluation of family justice centers.

**SB 855 Committee on Budget and Fiscal Review. Human services.**

*An act to amend Section 17415 of the Family Code, to amend Sections 1506.5, 1520.3, 1522, 1523.1, 1523.2, 1533, 1534, 1550, 1551, 1556, 1558, 1562, 1568.05, 1568.07, 1569.185, 1569.20, 1569.48, 1569.525, 1569.682, 1596.803, 1596.871, 1796.12, 1796.14, 1796.16, 1796.17, 1796.19, 1796.22, 1796.23, 1796.24, 1796.25, 1796.26, 1796.29, 1796.31, 1796.44, 1796.45, 1796.47, 1796.48, 1796.49, 1796.52, 1796.55, 1796.61, and 1796.63 of, to amend and renumber Sections 1796.33, 1796.34, 1796.35, 1796.36, 1796.37, and 1796.42 of, to amend, renumber, and add Sections 1796.38 and 1796.41 of, to add Sections 1546.1, 1546.2, 1548.1, 1569.481, 1569.482, and 1796.40 to, to repeal Sections 1796.39 and 1796.56 of, and to repeal and add Section 1546 of, the Health and Safety Code, and to amend Sections 300, 10104, 10553.11, 11320.32, 11322.8, 11325.24, 11402.4, 11450.025, 11460, 11477, 12301.1, and 18906.55 of, to add Sections 11461.3, 12300.4, and 12300.41 to, to amend, repeal, and add Sections 18901.2 and 18901.5 of, and to add Article 3.3 (commencing with Section 11330) to Chapter 2 of Part 3 and Chapter 5.2 (commencing with Section 16524.6) to Part 4, of Division 9 of, the Welfare and Institutions Code, relating to human services, and making an appropriation therefor, to take effect immediately, bill related to the budget.*

The bill creates the Commercially Sexually Exploited Children Program and provides funding to the Department of Social Services to assist child welfare agencies with addressing the issue of commercial sexual exploitation of minors, including funding for training of child welfare workers and foster care providers and for specialized services. The bill further clarifies that a child who is sexually trafficked can be served through the dependency system and requires counties that wish to access funds under this program to develop interagency protocols for addressing sexually trafficked minors.

**Coalition to Abolish Slavery & Trafficking Contacts:**

Stephanie Richard, Policy & Legal Services Director, (213)-365-5249, [Stephanie@castla.org](mailto:Stephanie@castla.org)

Kay Buck, Executive Director (213) 365-0887, [Kay@castla.org](mailto:Kay@castla.org)

**Coalition to Abolish Slavery and Trafficking**

Systemic change is at the core of CAST’s mission. Taking a survivor-centered approach to ending modern slavery, CAST has a proven track record of working directly with survivors of human trafficking which builds an important bridge between practice and policy to inform effective policy initiatives. . By developing broad-based partnerships, CAST effectively advocates for policies that work to end human trafficking and help survivors rebuild their lives.

Coalition to Abolish Slavery & Trafficking (CAST)

5042 Wilshire Blvd #586, L.A., CA 90036

(213) 365-1906

[info@castla.org](mailto:info@castla.org) www.castla.org