

# SENATE BILL No. 499

September 17, 2013, Introduced by Senators ANDERSON, HOPGOOD, ANANICH, JONES, BIEDA, JOHNSON, WHITMER, HUNTER, GREGORY, HOOD and YOUNG and referred to the Committee on Families, Seniors and Human Services.

A bill to create the human trafficking reporting act; to provide a means of receiving confidential reports of human trafficking; to prescribe the powers and duties of certain state agencies; to require the maintenance of certain records; to provide for confidentiality; to create the human trafficking prevention fund; to provide for disbursements from the fund; and to provide remedies and penalties.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. This act shall be known and may be cited as the "human  
2 trafficking reporting act".

3           Sec. 2. As used in this act:

4           (a) "Department" means the department of state police.

5           (b) "Fund" means the human trafficking prevention fund created

1 in section 5.

2 (c) "Human trafficking" means a violation of chapter LXVIIA of  
3 the Michigan penal code, 1931 PA 328, MCL 750.462a to 750.462j.

4 Sec. 3. (1) The department shall establish a program for  
5 receiving reports and other information from the public regarding  
6 human trafficking violations in this state.

7 (2) The program described in subsection (1) shall provide for  
8 a toll-free telephone number for reporting human trafficking  
9 violations. The toll-free telephone number shall be available to  
10 receive reports and other information regarding human trafficking  
11 violations 24 hours a day, 7 days a week. The toll-free telephone  
12 number shall allow for reports by voice or text messaging.

13 (3) The program described in subsection (1) shall allow for  
14 reports and other information to be made to the department  
15 anonymously.

16 (4) Notwithstanding subsection (3), the program described in  
17 subsection (1) shall allow any person making a report under this  
18 act to receive a unique code that will allow that person to be  
19 identified as having provided information to the department under  
20 this act. The code shall allow the department to access all of the  
21 information provided to the department by that person upon the  
22 request of that person.

23 (5) The department shall maintain a record of all information  
24 provided to the department under this act. All records of the  
25 department maintained under this section are official records of  
26 the department.

27 Sec. 4. (1) Any information provided to the department under

1 section 3 that would identify a person as having reported a  
2 violation or otherwise provided information to the department under  
3 this act is confidential and is not subject to disclosure under the  
4 freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

5 (2) A person who intentionally discloses information to  
6 another person in violation of subsection (1) is guilty of a  
7 misdemeanor punishable by imprisonment for not more than 90 days or  
8 a fine of not more than \$500.00, or both.

9 Sec. 5. (1) The human trafficking prevention fund is created  
10 within the state treasury.

11 (2) The state treasurer may receive money or other assets from  
12 any source for deposit into the fund. The state treasurer shall  
13 direct the investment of the fund. The state treasurer shall credit  
14 to the fund interest and earnings from fund investments.

15 (3) Money in the fund at the close of the fiscal year shall  
16 remain in the fund and shall not lapse to the general fund.

17 (4) The department shall be the administrator of the fund for  
18 auditing purposes.

19 (5) The department shall expend money from the fund, upon  
20 appropriation, only for 1 or more of the following purposes:

21 (a) To create and maintain a program for a toll-free telephone  
22 number to report human trafficking violations.

23 (b) To pay the administrative costs of the department under  
24 this act.

25 (c) To increase awareness of human trafficking and of the  
26 ability to report violations to the department as provided in this  
27 act.

1           (d) To train local law enforcement personnel in recognizing  
2 human trafficking violations and in enforcing the laws relating to  
3 those violations.