

ASSEMBLY, No. 4401

STATE OF NEW JERSEY 221st LEGISLATURE

INTRODUCED MAY 16, 2024

Sponsored by:

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District 13 (Monmouth)

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SYNOPSIS

Establishes New Jersey Human Trafficking Criminal Registry; requires establishment of educational curricula related to human trafficking.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT establishing the New Jersey Human Trafficking Criminal
2 Registry, amending P.L.2013, c.51, and supplementing Title 2C
3 of the New Jersey Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. (New section) a. The Attorney General shall establish and
9 maintain the New Jersey Human Trafficking Criminal Registry. The
10 registry shall make available to the citizens of this State, through the
11 creation of an online database, information relating to any person
12 convicted of certain human trafficking offenses who is either
13 incarcerated, on parole, or participating in a residential community
14 release program in this State.

15 b. Information relating to persons convicted of the following
16 crimes shall be included on the registry: human trafficking pursuant
17 to P.L.2013, c.51 (C.2C:13-8); providing services, resources, or
18 assistance with the knowledge that the services, resources, or
19 assistance are intended to be used in furtherance of the commission
20 of the crime of human trafficking pursuant to P.L.2013, c.51
21 (C.2C:13-9); and advertising commercial sexual abuse of a minor
22 pursuant to P.L.2013, c.51 (C.2C:13-10).

23 c. The registry shall be subdivided into four categories, which
24 shall be subdivided as follows, and shall include the following
25 information:

26 (1) Category 1 - any person incarcerated for one of the crimes set
27 forth in subsection b. of this section: the incarcerated person's name;
28 sentence imposed for the conviction; place of incarceration; parole
29 eligibility or release date, as appropriate; and criminal history record
30 information;

31 (2) Category 2 - any person convicted of one of the crimes set forth
32 in subsection b. of this section who is released on parole: the
33 parolee's name; term of parole supervision; address; anticipated
34 parole discharge date; and criminal history; and

35 (3) Category 3 - any person convicted of one of the crimes set
36 forth in subsection b. of this section who is participating in a
37 residential community release program: the person's name; sentence;
38 address where the person is residing while participating in the
39 program; anticipated release date; and criminal history record
40 information.

41 (4) Category 4 - any person convicted in another jurisdiction of a
42 crime that is substantially similar to those set forth in subsection b.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 of this section, but who, pursuant to the Interstate Corrections
2 Compact, P.L.1973, c.15 (C.30:7C-1 et seq.), are released on parole
3 in this State: the parolee's name; term of parole supervision;
4 jurisdiction imposing the term of parole supervision; address;
5 anticipated parole discharge date; and criminal history record
6 information.

7 d. The Attorney General may adopt guidelines to effectuate the
8 purposes of this act.

9 e. No action shall be brought against a real estate broker, broker-
10 salesperson, salesperson, seller, or lessor for failure to investigate or
11 disclose any information from the registry that is compiled or made
12 available to the citizens of this State pursuant to this section.
13

14 2. Section 19 of P.L.2013, c.51 (C.2C:13-12) is amended as
15 follows:

16 19. a. The Police Training Commission, in consultation with the
17 Attorney General and the Director of the Division of Criminal Justice
18 in the Department of Law and Public Safety, shall develop and
19 approve, as part of the police training courses required pursuant to
20 P.L.1961, c.56 (C.52:17B-66 et seq.), mandatory courses of study on
21 the identification, handling, response procedures, investigation, and
22 prosecution of human trafficking cases. These mandatory courses
23 shall be reviewed at least every two years and modified from time to
24 time as need may require.

25 b. (1) The Department of Community Affairs, in consultation with
26 the Commission on Human Trafficking established by section 1 of
27 P.L.2013, c.51 (C.52:17B-237), shall develop, approve, and provide
28 for a one-time training course on the handling and response
29 procedures of suspected human trafficking activities for owners,
30 operators, and staff of hotels and motels as defined in the "Hotel and
31 Multiple Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.); or
32 alternatively, the department, in consultation with the commission,
33 shall approve a substantially similar one-time training course for use
34 by hotels and motels in providing training to owners, operators, and
35 staff. The department, in consultation with the commission, shall
36 define by regulation which staff positions are required, as a condition
37 of employment, to attend the one-time training course. Verifiable
38 completion of the training course by required staff shall be a
39 condition of issuance, maintenance, or renewal of any license,
40 permit, certificate, or approval required, permitted to be granted, or
41 issued to owners or operators under the provisions of the "Hotel and
42 Multiple Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.). The
43 training course shall be reviewed at least every two years and
44 modified by the department, in consultation with the commission,
45 from time to time as need may require.

46 (2) The Department of Community Affairs, through its oversight
47 and enforcement authority provided under the "Hotel and Multiple

1 Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.), shall be
2 responsible for ensuring that all hotel and motel owners, operators,
3 and required staff attend the one-time training course within one year
4 of the enactment of this section in the case of all current owners,
5 operators, and required staff engaging in their respective profession
6 on the effective date of this section, and within six months of the first
7 day of ownership, operation, or employment for all new owners,
8 operators, and required staff who initially engage in their respective
9 profession on a date that follows the effective date.

10 (3) The Department of Community Affairs shall make available
11 the training materials for the one-time training course to hotel and
12 motel owners, operators, and required staff in order for the owners,
13 operators, and required staff to fulfill the one-time training
14 requirement set forth in this subsection.

15 c. (1) The Department of Health, in consultation with the
16 Commission on Human Trafficking established by section 1 of
17 P.L.2013, c.51 (C.52:17B-237), shall develop, approve, and provide
18 for a one-time training course on the handling and response
19 procedures of suspected human trafficking activities for employees
20 of every licensed health care facility as defined in section 2 of
21 P.L.1971, c.136 (C.26:2H-2), including those professionals whose
22 professional practice is regulated pursuant to Title 45 of the Revised
23 Statutes; or alternatively, the department, in consultation with the
24 commission, shall approve for use a substantially similar one-time
25 training course provided by a recognized Statewide nonprofit
26 healthcare trade association with demonstrated experience in
27 providing course offerings to health care facility employees on
28 similar workplace matters. The Department of Health shall ensure
29 that its training program for employees of licensed health care
30 facilities includes, but is not limited to, the following information:
31 the causes and nature of human trafficking, risk factors, and
32 preventive measures; resources available to victims of human
33 trafficking; proper screening procedures for patients during the
34 course of a medical examination or treatment to determine whether
35 the patient may be a victim of human trafficking; procedures for
36 conducting a comprehensive evaluation to identify indicators that a
37 patient may be a victim of human trafficking; and procedures for
38 appropriately documenting in a patient's medical record any
39 indicators of human trafficking.

40 The department, in consultation with the commission and the
41 approved nonprofit course provider, if any, shall define by regulation
42 which employees are required, as a condition of their employment,
43 to attend the one-time training course. Verifiable completion of the
44 training course by required employees shall be a condition of
45 issuance, maintenance, or renewal of any license, permit, certificate,
46 or approval required, permitted to be granted, or issued to licensed
47 health care facilities under the provisions of P.L.1971, c.136
48 (C.26:2H-1 et al.). The training course shall be reviewed at least

1 every two years and modified by the department, in consultation with
2 the commission and the approved nonprofit course provider, if any,
3 from time to time as need may require.

4 (2) The Department of Health, through its oversight and
5 enforcement authority provided under P.L.1971, c.136 (C.26:2H-1 et
6 al.), shall be responsible for ensuring that all required employees of
7 licensed health care facilities attend the one-time training course
8 within one year of the enactment of this section in the case of all
9 current employees engaging in their respective profession on the
10 effective date of this section, and within six months of the first day
11 of employment for all new employees who initially engage in their
12 respective profession on a date that follows the effective date. If an
13 approved nonprofit course provider is involved in providing the one-
14 time training course to new employees who initially engage in their
15 respective profession on a date that follows the effective date of this
16 section, then the nonprofit course provider shall provide the training
17 course at least once every six months in order for these employees to
18 meet the six-month training deadline established by this paragraph.

19 (3) The Department of Health shall make available the training
20 materials for the one-time training course to required employees, or
21 to the approved nonprofit course provider, if any, in order for the
22 required employees to fulfill the one-time training requirement set
23 forth in this subsection.

24 The Department of Health shall also create appropriate
25 educational materials for employees of health care facilities to make
26 available to patients seeking medical care regarding the causes and
27 nature of human trafficking, risk factors, and preventive measures;
28 and the availability of resources for victims of human trafficking.

29 d. (1) The Administrative Office of the Courts shall develop and
30 approve a training course and a curriculum to raise awareness of
31 judges and judicial personnel on the seriousness of the crime of
32 human trafficking, its impact on human rights and the need to
33 adequately implement anti-trafficking laws, including not only the
34 prosecution and sentencing of defendants charged with human
35 trafficking, but the need to respect and restore rights and needs of
36 victims of human trafficking. This training course shall be reviewed
37 at least every two years and modified by the Administrative Office
38 of the Courts from time to time as need may require.

39 (2) The Administrative Office of the Courts shall make the
40 training course, curriculum, and supporting materials available to
41 appropriate judges and judicial personnel who may be involved with
42 the court-related aspects of human trafficking prosecutions through
43 annual in-service judicial training programs or other means.

44 e. Pursuant to section 2 of P.L.2013, c.51 (C.52:17B-238), the
45 Attorney General, in consultation with the Commission on Human
46 Trafficking established by section 1 of P.L.2013, c.51 (C.52:17B-
47 237), may provide for the expenditures of monies from the "Human

1 Trafficking Survivor's Assistance Fund" to assist with the
2 development, maintenance, revision, and distribution of training
3 course materials for the courses developed in accordance with this
4 section, and the operation of these training courses.

5 f. The Attorney General, in conjunction with the Commissioner
6 of Transportation, shall establish advisories for transportation
7 companies that operate in New Jersey, including bus, train, and air
8 carriers, to provide employee training regarding recognizing and
9 reporting suspected human trafficking.
10 (cf: P.L.2013, c.51, s.19)
11

12 3. (New section) The Attorney General, in conjunction with the
13 Commissioner of the Department of Education, shall expand human
14 trafficking education throughout this State by:

15 a. Introducing age-appropriate human trafficking prevention
16 education into middle school and high school curricula; and

17 b. Incorporating topics such as online safety, healthy
18 relationships, recognizing grooming tactics, and seeking help for
19 oneself or others who may be at risk of becoming a victim of human
20 trafficking into elementary school, middle school, and high school
21 curricula, in an age-appropriate manner.
22

23 4. This act shall take effect on the first day of the sixth month
24 following enactment. The Attorney General may take such
25 anticipatory action as is necessary for the implementation of this act.
26

27
28 STATEMENT
29

30 This bill establishes the New Jersey Human Trafficking Criminal
31 Registry to make available to the citizens of this State, information
32 relating to any person convicted of certain human trafficking offenses
33 who is either incarcerated, on parole, or participating in a residential
34 community release program in this State.

35 The registry is to be subdivided into four categories, with each
36 category to include the following information: (1) an incarcerated
37 person's name, sentence imposed for the conviction, place of
38 incarceration, parole eligibility or release date, and criminal history
39 record information; (2) a parolee's name, term of parole supervision,
40 address, anticipated parole discharge date, and criminal history; (3) a
41 residential community release program participant's name, sentence,
42 address where the person is residing while participating in the
43 program, anticipated release date, and criminal history record; and
44 (4) information relating to persons convicted in another jurisdiction
45 of a similar crime who is released on parole in this State.

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1 Further, the bill requires the Attorney General to work in
2 conjunction with the Commissioners of other New Jersey
3 Departments to expand human trafficking law enforcement training
4 throughout this State; expand human trafficking education for
5 employees of health care facilities, and educators throughout this
6 State; and establish advisories for transportation companies that
7 operate in New Jersey.