

AMENDMENTS TO LB 1145

Introduced by Judiciary

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. Section 28-802, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 28-802 (1) A person commits pandering if such person:

6 (a) Entices another person to become a prostitute; or

7 (b) Procures or harbors therein an inmate for a house of
8 prostitution or for any place where prostitution is practiced or
9 allowed; or

10 (c) Inveigles, entices, persuades, encourages, or
11 procures any person to come into or leave this state for the
12 purpose of prostitution or debauchery; or

13 (d) Receives or gives or agrees to receive or give any
14 money or other thing of value for procuring or attempting to
15 procure any person to become a prostitute or commit an act of
16 prostitution or come into this state or leave this state for the
17 purpose of prostitution or debauchery.

18 (2) Pandering is a Class IV felony for a first offense,
19 unless the person being enticed, procured, harbored, or otherwise
20 persuaded to become a prostitute in violation of this section is
21 under the age of eighteen years, in which case pandering is a Class
22 III felony for a first offense. Pandering is a Class III felony for
23 a second or subsequent offense.

1 Sec. 2. (1) A task force is hereby established within
2 the Nebraska Commission on Law Enforcement and Criminal Justice
3 for the purposes of investigating and studying human trafficking,
4 the methods for advertising human trafficking services, and the
5 victimization of individuals coerced to participate in human
6 trafficking.

7 (2) The task force shall examine the extent to which
8 human trafficking is prevalent in this state, the scope of efforts
9 being taken to prevent human trafficking from occurring, and the
10 services available to victims of human trafficking in this state.
11 The task force shall also investigate the limitations upon victims
12 who wish to come forward and seek medical attention; investigate
13 the potential to stop human trafficking; and investigate the
14 potential to promote recovery, to protect families and children who
15 may be profoundly impacted by such abuse, and to save lives.

16 (3) (a) The Department of Labor shall work with the task
17 force to develop or select informational posters for placement
18 around the state. The posters shall be in English, Spanish, and any
19 other language deemed appropriate by the task force. The posters
20 shall include a toll-free telephone number a person may call
21 for assistance, preferably the National Human Trafficking Resource
22 Center Hotline (888)373-7888.

23 (b) Posters shall be placed in rest stops and strip
24 clubs. The task force shall work with local businesses and
25 nonprofit entities associated with the prevention of human
26 trafficking to voluntarily place additional signs in high schools,
27 postsecondary educational institutions, gas stations, hotels,

1 hospitals, health care clinics, urgent care centers, airports,
2 train stations, bus stations, and other locations around the state
3 deemed appropriate by the task force.

4 (4) The task force shall consist of the following
5 members:

6 (a) The Attorney General or his or her designee;

7 (b) The executive director of the Nebraska Commission on
8 Law Enforcement and Criminal Justice;

9 (c) The Superintendent of Law Enforcement and Public
10 Safety or his or her designee;

11 (d) The Director of Correctional Services or his or her
12 designee;

13 (e) The chief of police or director of public safety of a
14 city of two hundred thousand inhabitants or more;

15 (f) The chief of police or director of public safety of a
16 city of less than two hundred thousand inhabitants;

17 (g) A county sheriff;

18 (h) A county attorney;

19 (i) A county commissioner;

20 (j) A mayor or city manager;

21 (k) A person involved with the control or prevention of
22 juvenile delinquency;

23 (l) A person involved with the control or prevention of
24 child abuse;

25 (m) The Commissioner of Education or his or her designee;

26 (n) The director of the Commission on Latino-Americans or
27 his or her designee; and

1 (o) Six members, at least three of whom shall be women,
2 from the public at large.

3 (5) The Governor shall appoint the members of the task
4 force listed in subdivisions (4)(e) through (l) and (o) of this
5 section for terms as provided in subsection (6) of this section.
6 The membership of the task force shall represent varying geographic
7 areas and large and small political subdivisions. One member from
8 the public at large shall be a professional representing child
9 welfare, and one member of the public at large shall represent
10 juvenile pretrial diversion programs.

11 (6) The members of the task force appointed by the
12 Governor shall serve six-year terms, except that of the members
13 first appointed, four shall serve initial two-year terms, four
14 shall serve initial four-year terms, and six shall serve initial
15 six-year terms from January 1 next succeeding their appointments.
16 Thereafter, all members shall serve six-year terms. A member may
17 be reappointed at the expiration of his or her term. Any vacancy
18 occurring otherwise than by expiration of a term shall be filled
19 for the balance of the unexpired term in the same manner as the
20 original appointment.

21 (7) No member shall serve beyond the time when he or she
22 holds the office, employment, or status by reason of which he or
23 she was initially eligible for appointment. Any member of the task
24 force appointed by the Governor may be removed from the task force
25 for cause upon notice and an opportunity to be heard at a public
26 hearing. One of the causes for removal shall be absence from three
27 regularly scheduled meetings of the task force during any six-month

1 period when the member has failed to advise the task force in
2 advance of such meeting that he or she will be absent and stating a
3 reason therefor.

4 (8) The chairperson of the task force shall be designated
5 by the Governor to serve at the pleasure of the Governor. The
6 chairperson shall be the chief executive officer of the task force
7 but may delegate such of his or her duties to other members of the
8 task force as may be authorized by the task force.

9 (9) Notwithstanding any provision of law, ordinance, or
10 charter provision to the contrary, membership on the task force
11 shall not disqualify any member from holding any other public
12 office or employment or cause the forfeiture thereof.

13 (10) The members of the task force shall serve on the
14 task force without compensation, but they shall be entitled to
15 receive reimbursement for any actual expenses incurred as necessary
16 incident to such service as provided in sections 81-1174 to
17 81-1177.

18 (11) Eleven members of the task force shall constitute a
19 quorum for the transaction of any business or the exercise of any
20 power of the task force. The task force shall have the power to
21 act by a majority of the members present at any meeting at which a
22 quorum is in attendance.

23 (12) All appointments shall be made not later than thirty
24 days after the effective date of this act. The chairperson shall
25 meet with the task force not later than sixty days after the
26 effective date of this act.

27 (13) Not later than one year after the effective date

1 of this act, and every July 1 and December 1 thereafter, the
2 task force shall report to the Clerk of the Legislature the
3 results of its investigation and study and its recommendations, if
4 any, together with drafts of legislation necessary to carry its
5 recommendations into effect by filing the report with the clerk.

6 Sec. 3. (1) This state shall provide mandatory training
7 for law enforcement agencies, prosecutors, public defenders,
8 judges, juvenile detention center staff, and others involved in the
9 juvenile justice system and the criminal justice system and other
10 relevant officials in addressing human trafficking. The task force
11 established in section 2 of this act shall work with such agencies,
12 persons, and staff to develop a proper curriculum for the training
13 and to determine which state entity would be most appropriate
14 in providing the training. The determination and accompanying
15 legislation recommendations shall be made by December 1, 2012. Such
16 training shall focus on:

- 17 (a) State and federal law regarding human trafficking;
18 (b) Methods used in identifying United States citizen
19 and foreign national victims of human trafficking, including
20 preliminary interview techniques and appropriate questioning
21 methods;
22 (c) Methods for prosecuting human traffickers;
23 (d) Methods of increasing effective collaboration with
24 nongovernmental organizations and other relevant social service
25 organizations in the course of investigating and prosecuting a
26 human trafficking case;
27 (e) Methods for protecting the rights of victims of human

1 trafficking, taking into account the need to consider human rights
2 and the special needs of women and minor victims;

3 (f) The necessity of treating victims of human
4 trafficking as crime victims rather than as criminals; and

5 (g) Methods for promoting the safety and well-being of
6 all victims of human trafficking.

7 (2) The task force shall also seek the input and
8 participation of appropriate nongovernmental organizations and
9 other relevant organizations regarding the provision, preparation,
10 and presentation of the training called for in this section.

11 Sec. 4. Original section 28-802, Reissue Revised Statutes
12 of Nebraska, is repealed.