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FIRST REPRINT

A.B. 311

ASSEMBLY BILL NO. 311—ASSEMBLYMEN SPRINKLE, HAMBRICK,
HORNE, FRIERSON, BOBZIEN; DONDERO LOOP, DUNCAN,
KIRKPATRICK AND OSCARSON

MARCH 18, 2013

Referred to Committee on Judiciary

SUMMARY—Creates the Contingency Account for Victims of
Human Trafficking. (BDR 16-715)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to victims of crime; creating the Contingency Account for Victims of Human Trafficking in the State General Fund; authorizing the Director of the Department of Health and Human Services to allocate money from the Account to nonprofit corporations and agencies and political subdivisions of this State for the purposes of establishing or providing programs and services to victims of human trafficking; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law prohibits holding a person in involuntary servitude, assuming ownership over a person, the purchase or sale of a person, trafficking in persons, pandering and living from the earnings of a prostitute. (NRS 200.463, 200.464, 200.465, 200.467, 200.468, 201.310-201.340) **Section 4** of this bill defines a victim of any of those crimes as a "victim of human trafficking."

Section 5 of this bill creates the Contingency Account for Victims of Human Trafficking in the State General Fund to be administered by the Director of the Department of Health and Human Services. **Section 5** also requires that funds in the Contingency Account be expended only for establishing or providing programs or services to victims of human trafficking. **Section 5** authorizes the Director to apply for and accept gifts, grants and donations or any other source of money for deposit into the Contingency Account. Finally, **section 5** provides that money remaining in the Contingency Account at the end of each fiscal year does not revert to the State General Fund and is required to be carried over into the next fiscal year.

Section 6 of this bill authorizes a nonprofit organization or an agency or political subdivision of this State to apply for an allocation of money from the Contingency Account. **Section 6** requires the Grants Management Advisory



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Committee within the Department of Health and Human Services to review such applications and make recommendations to the Director of the Department concerning allocations of money from the Contingency Account to applicants. **Section 6** authorizes the Director to make allocations of money from the Contingency Account and place such conditions on the acceptance of an allocation as the Director determines are necessary, including, without limitation, requiring the submission of periodic reports concerning the use of an allocation by the recipient. **Section 6** also requires that the recipient of an allocation of money from the Contingency Account use the money to establish or provide programs or services to victims of human trafficking.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 217 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this act.

Sec. 2. *As used in sections 2 to 6, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 and 4 of this act have the meanings ascribed to them in those sections.*

Sec. 3. *“Contingency Account” means the Contingency Account for Victims of Human Trafficking created by section 5 of this act.*

Sec. 4. *“Victim of human trafficking” means a person who is a victim of:*

1. Involuntary servitude as set forth in NRS 200.463 or 200.464.

2. A violation of any provision of NRS 200.465.

3. Trafficking in persons in violation of any provision of NRS 200.467 or 200.468.

4. Pandering in violation of any provision of NRS 201.300, 201.310, 201.330 or 201.340.

5. A violation of NRS 201.320.

Sec. 5. *1. The Contingency Account for Victims of Human Trafficking is hereby created in the State General Fund.*

2. The Director of the Department of Health and Human Services shall administer the Contingency Account. The money in the Contingency Account must be expended only for the purpose of establishing or providing programs or services to victims of human trafficking and is hereby authorized for expenditure as a continuing appropriation for this purpose.

3. The Director may apply for and accept gifts, grants and donations or other sources of money for deposit in the Contingency Account.



1 4. *The interest and income earned on the money in the*
2 *Contingency Account, after deducting any applicable charges,*
3 *must be credited to the Contingency Account.*

4 5. *Any money remaining in the Contingency Account at the*
5 *end of a fiscal year does not revert to the State General Fund, and*
6 *the balance in the Contingency Account must be carried forward*
7 *to the next fiscal year.*

8 **Sec. 6.** *1. A nonprofit organization or any agency or*
9 *political subdivision of this State may apply to the Director of the*
10 *Department of Health and Human Services for an allocation of*
11 *money from the Contingency Account.*

12 2. *The Grants Management Advisory Committee created by*
13 *NRS 232.383 shall review applications received by the Director*
14 *pursuant to subsection 1 and make recommendations to the*
15 *Director concerning allocations of money from the Contingency*
16 *Account to applicants.*

17 3. *The Director may make allocations of money from the*
18 *Contingency Account to applicants and may place such conditions*
19 *on the acceptance of such an allocation as the Director determines*
20 *are necessary, including, without limitation, requiring the*
21 *recipient of an allocation to submit periodic reports concerning*
22 *the recipient's use of the allocation.*

23 4. *The recipient of an allocation of money from the*
24 *Contingency Account may use the money only for the purposes of*
25 *establishing or providing programs or services to victims of*
26 *human trafficking.*

27 **Sec. 7.** (Deleted by amendment.)

28 **Sec. 8.** This act becomes effective on July 1, 2013.

