

SENATE No. 1063

The Commonwealth of Massachusetts

PRESENTED BY:

Mark C. Montigny

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to prevent human trafficking through increased public awareness.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|--------------------------|---|------------------|
| <i>Mark C. Montigny</i> | <i>Second Bristol and Plymouth</i> | |
| <i>Steven Ultrino</i> | <i>33rd Middlesex</i> | <i>1/31/2023</i> |
| <i>Michael O. Moore</i> | <i>Second Worcester</i> | <i>2/15/2023</i> |
| <i>Rebecca L. Rausch</i> | <i>Norfolk, Worcester and Middlesex</i> | <i>2/23/2023</i> |
| <i>Bruce E. Tarr</i> | <i>First Essex and Middlesex</i> | <i>3/23/2023</i> |

SENATE No. 1063

By Mr. Montigny, a petition (accompanied by bill, Senate, No. 1063) of Mark C. Montigny, Steven Ultrino, Michael O. Moore and Rebecca L. Rausch for legislation to prevent human trafficking through increased public awareness. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act to prevent human trafficking through increased public awareness.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 6C of the General Laws, as appearing in the 2020 Official Edition,
2 is hereby amended by adding the following section:-

3 Section 77. (a) The department shall display public awareness signs that contain the
4 National Human Trafficking Resource Center Hotline, or a successor hotline, along with basic
5 information regarding the signs of human trafficking, in every transportation station, rest area,
6 and welcome center that is open to the public.

7 (b) Massachusetts Bay Transit Authority stations, busses, trains, subway cars, street cars,
8 and passenger vehicles shall display, in a conspicuous location, public awareness signs that
9 contain the National Human Trafficking Resource Center Hotline, or a successor hotline, along
10 with basic information regarding the signs of human trafficking.

11 (c) Regional Transit Authority stations, busses, and passenger vehicles shall display, in a
12 conspicuous location, public awareness signs that contain the National Human Trafficking

13 Resource Center Hotline, or a successor hotline, along with basic information regarding the signs
14 of human trafficking.

15 (d) Massachusetts Port Authority airports and ferry terminals shall display, in a
16 conspicuous location, public awareness signs that contain the National Human Trafficking
17 Resource Center Hotline, or a successor hotline, along with basic information regarding the signs
18 of human trafficking.

19 SECTION 2. Chapter 6C of the General Laws, as so appearing, is hereby amended by
20 inserting at the end thereof the following section:-

21 Section 78. The department shall promulgate rules and regulations, in collaboration with
22 the Massachusetts Bay Transportation Authority, regional transit authorities, and Massachusetts
23 Port Authority, to provide anti-human trafficking education and training for all new and existing
24 employees, including but not limited to bus drivers, street car and train operators, ferry boat
25 operators, venders and ticket collectors, custodial and sanitation workers, mechanics, and any
26 other employee having frequent interaction with the public or who may come in contact with a
27 victim of human trafficking, or is likely to receive in the course of their employment a report
28 from another employee about suspected human trafficking.

29 The anti-human trafficking education and training may be incorporated into existing
30 employment training programs and, at a minimum, shall include:

31 (i) the definition of commercial exploitation, human trafficking, sex trafficking, and
32 labor trafficking;

33 (ii) common physical and emotional signs of human trafficking in victims;

34 (iii) guidance and emergency response training for employees who encounter
35 suspected human trafficking activities including protocols on how to report suspected human
36 trafficking activity, including but not limited to, national anti-human trafficking hotlines (1-888-
37 373-7888 and text line 233733), state and local police, and any appropriate federal law
38 enforcement authorities; and

39 (iv) education on identifying potential victims and vulnerable populations most at risk
40 to be victims of human trafficking.

41 The department may collaborate with public entities and non-profit organizations for the
42 acquisition of educational materials, trainings, or other resources to carry out said regulations;
43 provided further, that the department shall review and periodically update said regulations at
44 least once biannually in order to ensure education and training programs incorporate best
45 practices to combat human trafficking and provide appropriate assistance to victims.

46 SECTION 3. Section 8 of chapter 90F, of the General Laws as so appearing, is hereby
47 amended by inserting at the end thereof the following paragraphs:-

48 A person convicted of trafficking of persons for sexual servitude under section 50 of
49 chapter 265, trafficking of persons for forced services under section 51 of said chapter 265, or
50 under 18 U.S.C. § 1581, 1583, 1584, 1589, 1590, or 1591 shall be disqualified from obtaining
51 any license to operate a commercial motor vehicle as defined by section 1.

52 No person, having been disqualified from obtaining a commercial motor vehicle license
53 under this section shall have said license reinstated for any reason except in such case wherein
54 the convicted person has been granted judicial relief by a state or federal court of competent

55 jurisdiction on grounds which tend to establish the innocence of the individual as prescribed by
56 section 1(C) of chapter 258D.

57 SECTION 4. Chapter 111 of the General Laws, as so appearing, is hereby amended by
58 inserting after section 51L the following section:-

59 Section 51M. The department shall require each hospital licensed pursuant to this chapter
60 to display, in a conspicuous location, public awareness signs that contain the National Human
61 Trafficking Resource Center Hotline, or a successor hotline, along with basic information
62 regarding the signs of human trafficking.

63 SECTION 5. Section 2 of chapter 159A ½ of the General Laws, as so appearing, is
64 hereby amended by inserting after subsection (m) the following subsections:-

65 (n) In consultation with the registry of motor vehicles, the division shall provide for the
66 establishment of removable decals to be placed in a conspicuous place within the vehicle that
67 contain the National Human Trafficking Resource Center Hotline, or a successor hotline, along
68 with basic information regarding the signs of human trafficking.

69 (o) The department shall promulgate rules and regulations requiring transportation
70 network companies to provide anti-human trafficking education materials to all new and existing
71 transportation network drivers as defined in section 1 of this statute. The materials shall include:

72 (i) the definition of commercial exploitation, human trafficking, sex trafficking, and
73 labor trafficking;

74 (ii) common physical and emotional signs of human trafficking in victims;

75 (iii) guidance and emergency response tips for drivers who encounter suspected
76 human trafficking activities including protocols on how to report suspected human trafficking
77 activity, including but not limited to, national anti-human trafficking hotlines (1-888-373-7888
78 and text line 233733), state and local police, and any appropriate federal law enforcement
79 authorities; and

80 (iv) education on identifying potential victims and vulnerable populations most at risk
81 to be victims of human trafficking.

82 The department may collaborate with non-profit organizations or other state or federal
83 agencies for the creation, procurement, and distribution of said educational materials to
84 transportation network companies and drivers.

85 SECTION 6. Section 4(b) of chapter 159A ½ of the General Laws, as so appearing, is
86 hereby amended by inserting at the end thereof the following: -

87 (ix) has given written confirmation of the receipt of anti-human trafficking educational
88 materials to the transportation network company pursuant to section 2(o) of this chapter. The
89 transportation network company shall retain such receipt from the driver for the duration of the
90 driver's certificate.

91 SECTION 7. Section 100A of chapter 265 of the General Laws, as so appearing, is
92 hereby amended by inserting at the end thereof the following paragraph:-

93 A person convicted under section 50 or 51 of chapter 265 of the General Laws or U.S.C.
94 § 1581, 1583, 1584, 1589, 1590, or 1591 shall not be eligible to seal said records under section
95 100A of chapter 276 of the general laws.

96 SECTION 8. The department shall promulgate regulations pursuant to section 2 within
97 180 days from the effective date of this act.

98 SECTION 9. The department shall promulgate regulations pursuant to section 6 within
99 180 days of the effective date of this act.