



SENATE BILL 548: Strengthen Human Trafficking Laws/Studies.

2017-2018 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	June 21, 2017
Introduced by:	Sens. Randleman, Daniel, Brock	Prepared by:	Bill Patterson Staff Attorney
Analysis of:	Second Edition		

OVERVIEW: *Senate Bill 548 would: increase the felony level for human trafficking; expand the investigatory authority of the SBI; require licensure of establishments providing massage and bodywork therapy services, and make it a Class 1 misdemeanor to employ any person to provide massage and bodywork therapy services to the public who is not licensed to provide such services and is not exempt from licensure requirements. The bill would require public-awareness signs containing information about the National Human Trafficking Resource hotline to be displayed at specified establishments and locations. The bill would also direct the Department of Health and Human Services to study the feasibility of providing human trafficking training to health care providers, emergency medical providers, and relevant first responders.*

BILL ANALYSIS:

Section 1 of the bill would increase the existing Class F felony of human trafficking with an adult victim to a Class C felony, and would increase the current Class C felony of human trafficking with a minor victim to a Class B1 felony.

Section 1.1 would authorize the State Bureau of Investigation, upon the request of the Governor or the Attorney General, to investigate the commission or attempted commission of criminal offenses involving human trafficking and weapons of mass destruction.

Sections 2.(a) and 2.(b) would remove massage businesses from the definition of "adult establishment" and make conforming statutory changes.

Section 2.(c) would prohibit the practice of massage and bodywork therapy in an adult establishment.

Section 5 would establish standards for and require licensure of establishments providing massage and bodywork therapy services to the public. These businesses would be regulated by the North Carolina Board of Massage and Bodywork Therapy. Sexual activity in any licensed establishment would be prohibited. Any person employing a person who is not licensed or exempt from licensure to provide massage and bodywork therapy services to the public would be guilty of a Class 1 misdemeanor.

"Massage and bodywork therapy establishments" subject to regulation would not include the following:

- On-site massage performed at the customer's location.
- Devices such as chairs that are operated by the customer.
- Establishments within a hospital, nursing home or similar facility licensed by DHHS.
- Massage and bodywork therapy provided by a sole practitioner.

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- Student clinics operated by a Board-approved school or massage and bodywork therapy programs offered by accredited community colleges or colleges or universities.
- Chiropractic physician offices in which massage and bodywork therapy is provided only by massage and bodywork therapists licensed in North Carolina.

Establishments or locations as specified in the following sections of the bill would be required to display a public awareness sign created and provided by the North Carolina Human Trafficking Commission that contains the National Human Trafficking Resource hotline information:

- **Section 2.(d):** Adult establishments (adult bookstores, adult motion picture theatres, adult mini motion picture theatres, adult live entertainment businesses, and massage businesses)
- **Section 3:** ABC permittees
- **Section 4:** Owners, operators, or agents in charge of a business engaged in prostitution, gambling, illegal sales of alcoholic beverages, controlled substances, or obscene or lewd matter
- **Section 6:** Hospitals
- **Section 7:** State DOT transportation stations, rest areas, and welcome centers
- **Section 8:** State Department of Commerce operated employment or job training centers

Section 9 would direct the Department of Health and Human Services, in consultation with the North Carolina Human Trafficking Commission, to study the feasibility of training health care providers, emergency medical providers, and relevant first responders in human trafficking identification and response and preventative tools and measures.

EFFECTIVE DATE: Section 1 (enhanced felony level) and Section 5.(l) (new misdemeanor offense) of the act become effective December 1, 2017, and apply to offenses committed on or after that date. Sections 2-4, 5.(a) through 5.(k), and 6-8 of the act become effective January 1, 2018. The remainder of this act is effective when it becomes law.