

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

SENATE BILL 442

5 By: Senator J. Bryant
6 By: Representative McAlindon
7

For An Act To Be Entitled

8
9 AN ACT TO AMEND THE LAW CONCERNING HUMAN TRAFFICKING;
10 TO PROVIDE FOR FORFEITURE OF ASSETS USED TO CONDUCT
11 HUMAN TRAFFICKING; TO CREATE THE OFFENSE OF HARBORING
12 AN ENDANGERED RUNAWAY CHILD; TO CREATE THE ARKANSAS
13 HUMAN TRAFFICKING COUNCIL SUPPORT FUND; TO AMEND THE
14 FINE PAYMENTS FOR HUMAN TRAFFICKING OFFENSES AND
15 PROSTITUTION OFFENSES; AND FOR OTHER PURPOSES.
16
17

Subtitle

18
19 TO AMEND THE LAW CONCERNING HUMAN
20 TRAFFICKING; TO PROVIDE FOR FORFEITURE
21 OF ASSETS USED TO CONDUCT HUMAN
22 TRAFFICKING; AND TO CREATE THE OFFENSE
23 OF HARBORING AN ENDANGERED RUNAWAY
24 CHILD.
25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
27

28 SECTION 1. Arkansas Code § 5-5-201(a), concerning certain asset
29 forfeiture proceedings, is amended to read as follows:

30 (a) Upon conviction, any conveyance, including an aircraft, motor
31 vehicle, or vessel, is subject to forfeiture under this subchapter if it is
32 used in the commission or attempt of:

- 33 (1) A burglary;
34 (2) A robbery;
35 (3) A theft; or
36 (4) An arson; ~~or~~



1 ~~(5) Trafficking of persons, § 5-18-103.~~

2
 3 SECTION 2. Arkansas Code § 5-5-202(b)(2), concerning the seizure of
 4 conveyances for certain asset forfeiture proceedings, is amended to read as
 5 follows:

6 (2) Any law enforcement officer has probable cause to believe
 7 that the conveyance was used in the commission or attempt of:

- 8 (A) A burglary;
- 9 (B) A robbery;
- 10 (C) A theft; or
- 11 (D) An arson; ~~or~~
- 12 ~~(E) Trafficking of persons, § 5-18-103.~~

13
 14 SECTION 3. Arkansas Code § 5-5-501(d), concerning the impoundment of a
 15 motor vehicle used in a prostitution offense and the assessment of the
 16 impoundment fee, is amended to read as follows:

17 (d) An impoundment fee assessed under this section shall be collected
 18 by the impounding law enforcement agency and remitted to the ~~Human~~
 19 ~~Trafficking Victim Support Fund~~ Arkansas Human Trafficking Council Support
 20 Fund on the first business day of each month.

21
 22 SECTION 4. Arkansas Code Title 5, Chapter 5, is amended to add an
 23 additional subchapter to read as follows:

24 Subchapter 6 – Forfeiture of Property used in Human Trafficking

25
 26 5-5-601. Forfeiture of assets and disposition of proceeds.

27 (a) In addition to any other civil or criminal penalties provided by
 28 law, real or personal property used in the commission of a violation of the
 29 Human Trafficking Act of 2013, § 5-18-101 et seq., shall be forfeited as
 30 provided in this subchapter.

31 (b) Upon conviction for a violation of the Human Trafficking Act of
 32 2013, § 5-18-101 et seq., the following real or personal property is subject
 33 to forfeiture under this subchapter:

- 34 (1) A conveyance, including an aircraft, a vehicle, or vessel;
- 35 (2) A book, record, telecommunication equipment, or computer;
- 36 (3) Money;

1 (4) A negotiable instrument or security;

2 (5) A weapon;

3 (6) Anything of value furnished, or intended to be furnished, in
4 exchange for a violation of the Human Trafficking Act of 2013, § 5-18-101 et
5 seq.;

6 (7) Any real or personal property acquired or received in a
7 violation of or as an inducement to violate the Human Trafficking Act of
8 2013, § 5-18-101 et seq.;

9 (8) Any real or personal property traceable to proceeds from a
10 violation of the Human Trafficking Act of 2013, § 5-18-101 et seq.; and

11 (9) Any real property, including any right, title, and interest
12 in the whole of or any part of any lot or tract of land used in furtherance
13 of a violation of the Human Trafficking Act of 2013, § 5-18-101 et seq.

14
15 5-5-602. Real or personal property not subject to forfeiture.

16 (a)(1) Real or personal property used in furtherance of a violation of
17 the Human Trafficking Act of 2013, § 5-18-101 et seq., shall not be forfeited
18 under this section unless the real or personal property was used with the
19 owner's knowledge.

20 (2) If the confiscating authority has reason to believe that the
21 real or personal property is leased or rented, the confiscating authority
22 shall notify the owner of the real or personal property within five (5) days
23 of the confiscation or within five (5) days of learning that the real or
24 personal property is leased or rented.

25 (3) Forfeiture of real or personal property encumbered by a bona
26 fide security interest is subject to the interest of the secured party if the
27 secured party did not have knowledge of nor consented to the act or omission
28 in violation of the Human Trafficking Act of 2013 § 5-18-101 et seq.

29 (b) No property used by any person as a common carrier in the course
30 of business as a common carrier is subject to forfeiture under this
31 subchapter unless it appears that the owner or other person in charge of the
32 property is a consenting party or privy to a violation of the Human
33 Trafficking Act of 2013, § 5-18-101 et seq.

34
35 5-5-603. Seizure of real or personal property.

36 (a) Real or personal property subject to forfeiture under this

1 subchapter may be seized by any law enforcement agent upon process issued by
2 any circuit court having jurisdiction over the real or personal property on
3 petition filed by the prosecuting attorney of the judicial circuit.

4 (b) Seizure without process may be made if:

5 (1) The seizure is incident to an arrest or a search under a
6 search warrant or an inspection under an administrative inspection warrant;

7 (2) The real or personal property subject to seizure has been
8 the subject of a prior judgment in favor of the state in a criminal
9 injunction or forfeiture proceeding based upon this subchapter;

10 (3) The seizing law enforcement agency has probable cause to
11 believe that the real or personal property is directly or indirectly
12 dangerous to health or safety; or

13 (4) The seizing law enforcement agency has probable cause to
14 believe that the real or personal property was used in the commission or
15 attempt of a violation of the Human Trafficking Act of 2013, § 5-18-101 et
16 seq.

17
18 5-5-604. Transfer of real or personal property seized by state or
19 local agency to federal agency.

20 (a) A state or local law enforcement agency shall not transfer ral or
21 personal property seized by the state or local agency to any federal entity
22 for forfeiture under federal law unless the circuit court having jurisdiction
23 over the property enters an order, upon petition by the prosecuting attorney,
24 authorizing the property to be transferred to the federal entity.

25 (b) A transfer under subsection (a) of this section shall not be
26 approved unless it reasonably appears that the activity giving rise to the
27 investigation or seizure involves more than one (1) state or the nature of
28 the investigation or seizure would be better pursued under federal law.

29
30 5-5-605. Custody of real or personal property pending disposition.

31 (a) Real or personal property seized for forfeiture under this
32 subchapter is not subject to replevin, but is deemed to be in the custody of
33 the seizing law enforcement agency subject only to an order or decree of the
34 circuit court having jurisdiction over the property seized.

35 (b) Subject to any need to retain the real or personal property as
36 evidence, when real or personal property is seized under this subchapter the

1 seizing law enforcement agency shall:

2 (1) Remove the personal property to a place designated by the
3 circuit court;

4 (2) Place the real property under constructive seizure by
5 posting notice of pending forfeiture on it, by giving notice of pending
6 forfeiture to its owners and interest holders, or by filing notice of pending
7 forfeiture in any appropriate public record relating to the real property;

8 (3) Remove the personal property to a storage area for
9 safekeeping or, if the personal property is a negotiable instrument or money,
10 or is not needed for evidentiary purposes, deposit it in an interest-bearing
11 account; or

12 (4) Provide for another agency or custodian, including an owner,
13 secured party, mortgagee, or lienholder, to take custody of the real or
14 personal property and service, maintain, and operate it as reasonably
15 necessary to maintain its value in any appropriate location within the
16 jurisdiction of the court.

17 (c)(1) In any transfer of real or personal property under § 5-5-604, a
18 transfer receipt shall be prepared by the transferring law enforcement
19 agency.

20 (2) The transfer receipt shall:

21 (A) List a detailed and complete description of the real
22 or personal property being transferred;

23 (B) State to which federal agency the real or personal
24 property is being transferred and the source or authorization for the
25 transfer; and

26 (C) Be signed by both the transferor and the transferee.

27 (3) Both transferor and transferee shall maintain a copy of the
28 transfer receipt.

29 (d) A person who acts as custodian of real or personal property under
30 this section is not liable to any person on account of an act done in a
31 reasonable manner in compliance with an order under this subchapter.

32
33 5-5-606. Inventory of real or personal property seized – Referral to
34 prosecuting attorney – Failure to file confiscation report.

35 (a) Real or personal property seized by a state or local law
36 enforcement officer who is attached to, deputized or commissioned by, or

1 working in conjunction with a federal agency remains subject to the
2 provisions of this section.

3 (b)(1) When real or personal property is seized for forfeiture by a
4 law enforcement agency, the seizing law enforcement officer shall prepare and
5 sign a confiscation report.

6 (2)(A) The person from whom the real or personal property is
7 seized shall sign the confiscation report if present and shall immediately
8 receive a copy of the confiscation report.

9 (B) If the person refuses to sign the confiscation report,
10 the confiscation report shall be signed by one (1) additional law enforcement
11 officer, stating that the person refused to sign the confiscation report.

12 (3)(A) The original confiscation report shall be filed with the
13 seizing law enforcement agency within forty-eight (48) hours after the
14 seizure and maintained in a separate file.

15 (B) One (1) copy of the confiscation report shall be
16 retained by the seizing law enforcement officer.

17 (4) The confiscation report shall contain the following
18 information:

19 (A) A detailed description of the real or personal
20 property seized including without limitation any serial number, model number,
21 and odometer reading or hour reading of a vehicle or equipment;

22 (B) The date of seizure;

23 (C) The name and address of the person from whom the real
24 or personal property was seized;

25 (D) The reason for the seizure;

26 (E) Where the personal property will be held;

27 (F) The seizing law enforcement officer's name; and

28 (G) A signed statement by the seizing law enforcement
29 officer stating that the confiscation report is true and complete.

30 (5) Within three (3) business days of receiving the confiscation
31 report, the seizing law enforcement agency shall forward a copy of the
32 confiscation report to the prosecuting attorney for the district where the
33 real or personal property was seized and to the Human Trafficking
34 Coordinator.

35 (c)(1) Arkansas Legislative Audit shall notify the Human Trafficking
36 Coordinator and a circuit court in the county of a law enforcement agency,

1 prosecuting attorney, or other public entity that the law enforcement agency,
2 prosecuting attorney, or public entity is ineligible to receive any forfeited
3 funds, forfeited real or personal property, or any grants from the Arkansas
4 Human Trafficking Council Support Fund, if Arkansas Legislative Audit
5 determines, by its own investigation or upon written notice from the Human
6 Trafficking Coordinator, that:

7 (A) The law enforcement agency has failed to complete and
8 file the confiscation report as required by this section; or

9 (B) The law enforcement agency, prosecuting attorney, or
10 public entity has not properly accounted for any seized real or personal
11 property.

12 (2) After the notice by Arkansas Legislative Audit under
13 subdivision (c)(1) of this section, the circuit court shall not issue any
14 order distributing seized real or personal property to that law enforcement
15 agency, prosecuting attorney, or public entity nor shall any grant be awarded
16 by the Human Trafficking Operations Unit of the Division of Arkansas State
17 Police to that law enforcement agency, prosecuting attorney, or public entity
18 until:

19 (A) The appropriate officials of the law enforcement
20 agency, prosecuting attorney, or public entity have appeared before the
21 Legislative Joint Auditing Committee; and

22 (B) The Legislative Joint Auditing Committee has adopted a
23 motion authorizing subsequent transfers of forfeited real or personal
24 property to the law enforcement agency, prosecuting attorney, or public
25 entity.

26 (3)(A) While a law enforcement agency, prosecuting attorney, or
27 other public entity is ineligible to receive forfeited real or personal
28 property, the circuit court shall order any money that would have been
29 distributed to that law enforcement agency, prosecuting attorney, or public
30 entity to be transmitted to the Treasurer of State for deposit into the
31 Arkansas Human Trafficking Council Support Fund.

32 (B) If the real or personal property is not cash, the
33 circuit court shall order the real or personal property converted to cash by
34 selling the real or personal property under § 5-5-608(a)(2) and the proceeds
35 transmitted to the Treasurer of State for deposit into the Arkansas Human
36 Trafficking Council Support Fund.

1 (4) Moneys deposited into the Arkansas Human Trafficking Council
2 Support Fund pursuant to subdivision (c)(3) of this section are not subject
3 to recovery or retrieval by the ineligible law enforcement agency,
4 prosecuting attorney, or other public entity.

5 (d) The Human Trafficking Coordinator shall make available a
6 standardized confiscation report form to be used by all law enforcement
7 agencies with specific instructions and guidelines concerning the type and
8 monetary value of all real or personal property, including weapons, to be
9 included in the confiscation report and forwarded to the office of the local
10 prosecuting attorney and the Human Trafficking Coordinator under subdivision
11 (b)(5) of this section.

12
13 5-5-607. Initiation of forfeiture proceedings – Notice to claimants –
14 Judicial proceedings.

15 (a)(1) A prosecuting attorney shall initiate a forfeiture proceeding
16 under this subchapter by filing a complaint with the circuit clerk of the
17 county where the real or personal property was seized and by serving the
18 complaint on all known owners and interest holders of the seized property in
19 accordance with the Arkansas Rules of Civil Procedure.

20 (2) The complaint may be based on in rem or in personam
21 jurisdiction but shall not be filed in such a way as to avoid the
22 distribution requirements set forth in § 5-5-609.

23 (3) The prosecuting attorney shall mail a copy of the complaint
24 to the Human Trafficking Coordinator within five (5) calendar days after
25 filing the complaint.

26 (4) The complaint shall include a copy of the confiscation
27 report and shall be filed within sixty (60) days after receiving a copy of
28 the confiscation report from the seizing law enforcement agency.

29 (5) In a case involving real property, the complaint shall be
30 filed within sixty (60) days of the defendant's conviction on the charge
31 giving rise to the forfeiture.

32 (6)(A) The complaint may be filed after the expiration of the
33 time set forth in subdivision (b)(1) of this section only if the complaint is
34 accompanied by a statement of good cause for the late filing.

35 (B) However, in no event shall the complaint be filed more
36 than one hundred twenty (120) days after either the date of the seizure or,

1 in a case involving real property, the date of the defendant's conviction.

2 (C)(i) If the circuit court determines that good cause has
3 not been established, the circuit court shall order that the seized real or
4 personal property be returned to the owner or interest holder.

5 (ii) In addition to the requirements in subdivision
6 (a)(6)(C)(i) of this section, real or personal property seized but not
7 subject to forfeiture under this subchapter or subject to disposition
8 pursuant to law or the Arkansas Rules of Criminal Procedure may be ordered
9 returned to the owner or interest holder.

10 (iii) If the owner or interest holder cannot be
11 determined, the court may order disposition of the real or personal property
12 as provided in § 5-5-608.

13 (b)(1) Subject to the Arkansas Rules of Civil Procedure, a defendant
14 who was arrested for an offense in violation of the Human Trafficking Act of
15 2013, § 5-18-101 et seq. shall file with the circuit clerk an answer to the
16 complaint that shall include:

17 (A) A statement describing the seized real or personal
18 property and the owner's or interest holder's interest in the seized real or
19 personal property, with supporting documents to establish the owner's or
20 interest holder's interest;

21 (B) A certification by the owner or interest holder
22 stating that he or she has read the answer and that it is not filed for any
23 improper purpose;

24 (C) A statement setting forth any defense to forfeiture;
25 and

26 (D) The address at which the owner or interest holder
27 accepts mail.

28 (2) Subject to the Arkansas Rules of Civil Procedure, a
29 defendant who is a third party who was not arrested for an offense giving
30 rise to a forfeiture action under this subchapter shall file an answer to the
31 complaint with the circuit clerk within forty-five (45) days of service of
32 process.

33 (c)(1) If the owner or interest holder fails to file an answer as
34 required by subsection (b) of this section, the prosecuting attorney may move
35 for default judgment pursuant to the Arkansas Rules of Civil Procedure.

36 (2) If a timely answer is filed:

1 (A) By a defendant who was arrested for an offense giving
2 rise to the forfeiture action under this section, the prosecuting attorney
3 shall prove by a preponderance of the evidence that the seized real or
4 personal property should be forfeited; or

5 (B) By a third party who was not arrested for an offense
6 giving rise to the forfeiture action, the prosecuting attorney shall prove by
7 clear and convincing evidence that the seized real or personal property
8 should be forfeited.

9 (3)(A) After the prosecuting attorney has presented proof under
10 subdivision (c)(2) of this section, any owner or interest holder of the real
11 or personal property seized may present evidence why the seized real or
12 personal property should not be forfeited.

13 (B) If the circuit court determines that grounds for
14 forfeiting the seized real or personal property exist and that no defense to
15 forfeiture has been established by the owner or interest holder, the circuit
16 court shall enter an order under § 5-5-608.

17 (C) If the circuit court determines that the prosecuting
18 attorney has failed to establish that grounds for forfeiture of the seized
19 real or personal property exist or that the owner or interest holder has
20 established a defense to the forfeiture, the court shall order that the
21 seized real or personal property be immediately returned to the owner or
22 interest holder.

23
24 5-5-608. Final disposition.

25 (a) When a circuit court having jurisdiction over real or personal
26 property seized under this subchapter finds that grounds for a forfeiture
27 exist and the burden of proof has been met under § 5-5-607, the circuit court
28 shall enter an order:

29 (1) Permitting the law enforcement agency or prosecuting
30 attorney to retain the seized personal property for law enforcement or
31 prosecutorial purposes subject to subsection (b) of this section;

32 (2) Directing the retaining law enforcement agency or
33 prosecuting attorney to sell at public sale, under § 5-5-101(e) and (f), the
34 seized real or personal property that is not required by law to be destroyed
35 and that is not harmful to the public; or

36 (3) Transferring a motor vehicle to a school district for use in

1 a driver education course.

2 (b)(1) Seized personal property that is retained by the law
3 enforcement agency or prosecuting attorney under subdivision (a)(1) of this
4 section shall not be retained for official use for more than two (2) years,
5 unless the circuit court finds that the seized property has been used for law
6 enforcement or prosecutorial purposes and authorizes continued use for those
7 purposes on an annual basis.

8 (2) Except as provided in subdivision (b)(1) of this section, no
9 later than two (2) years after entry of an order under subdivision (a)(1) of
10 this section, the seized personal property shall be sold as provided in
11 subdivision (a)(2) of this section, and the proceeds shall be deposited:

12 (A) Eighty percent (80%) into the budget of the retaining
13 law enforcement agency or prosecuting attorney; and

14 (B) Twenty percent (20%) into the State Treasury as
15 special revenues to be credited to the Arkansas Human Trafficking Council
16 Support Fund.

17 (3) The retaining law enforcement agency or prosecuting attorney
18 may sell the retained seized personal property at any time during the time
19 allowed for retention, and the proceeds of the sale shall be distributed as
20 set forth in subdivisions (b)(2)(A) and (B) of this section.

21 (4) If the circuit court determines that retained seized
22 personal property has been used for personal use or by non-law enforcement
23 personnel for non-law enforcement purposes, the circuit court shall order the
24 seized personal property to be sold at public sale under § 5-5-101(e) and
25 (f), and the proceeds shall be deposited into the State Treasury as special
26 revenues to be credited to the Arkansas Human Trafficking Council Support
27 Fund.

28 (5)(A) A drug task force may use seized personal property or
29 money if the circuit court's order specifies that the seized personal
30 property or money may be retained for official use by the prosecuting
31 attorney, county sheriff, chief of police, Division of Arkansas State Police,
32 or Arkansas Highway Police Division of the Arkansas Department of
33 Transportation.

34 (B) If the circuit court's order specifies that the seized
35 personal property or money may be retained for official use, the prosecuting
36 attorney, county sheriff, chief of police, Division of Arkansas State Police,

1 or Arkansas Highway Police Division of the Arkansas Department of
2 Transportation shall:

3 (i) Maintain an inventory of the seized personal
4 property or money;

5 (ii) Be accountable for the seized personal property
6 or money; and

7 (iii) Be subject to the provisions of § 5-5-606(c)
8 with respect to the seized personal property or money.

9 (6) Any weapon not retained for official use shall be disposed
10 of in accordance with state and federal law.

11 (c) Disposition of seized real or personal property under this section
12 is subject to the need to retain the seized real or personal property as
13 evidence in any related proceeding.

14 (d) Within three (3) business days of the entry of an order, the
15 circuit clerk shall forward to the Human Trafficking Coordinator copies of
16 the confiscation report, the circuit court's order, and any other
17 documentation detailing the disposition of the seized real or personal
18 property.

19
20 5-5-609. Disposition of proceeds from personal property.

21 (a) Unless otherwise provided, all personal property which is seized
22 under this subchapter shall be liquidated and, after deduction of court costs
23 and the expense of liquidation, the proceeds shall be divided as follows:

24 (1) If only one (1) law enforcement agency participates in the
25 underlying criminal case out of which the forfeiture arises:

26 (A) Fifty percent (50%) of the proceeds shall be forwarded
27 to the Treasurer of State and deposited in the Arkansas Human Trafficking
28 Council Support Fund; and

29 (B) Fifty percent (50%) shall be deposited and credited to
30 the budget of the participating law enforcement agency; and

31 (2)(A) If more than one (1) law enforcement agency participates
32 in the underlying criminal case out of which the forfeiture arises:

33 (i) Fifty percent (50%) of the proceeds shall be
34 forwarded to the Treasurer of State and deposited in the Arkansas Human
35 Trafficking Council Support Fund;

36 (ii) Twenty-five percent (25%) of the proceeds shall

1 be deposited and credited to the budget of the law enforcement agency whose
2 officers initiated the criminal case; and

3 (iii) Twenty-five percent (25%) shall be divided
4 equitably between the other participating law enforcement agencies, and shall
5 be deposited and credited to the budgets of the participating law enforcement
6 agencies.

7 (B) In the event that the participating law enforcement
8 agencies cannot agree on the division of the participating law enforcement
9 agencies' proceeds under subdivision (a)(2)(A)(iii) of this section, a
10 petition shall be filed by any one (1) of the participating law enforcement
11 agencies in the court in which the forfeiture proceeding is brought, and the
12 court shall make an equitable division.

13 (b) All money forfeited under this subchapter shall be divided,
14 deposited, and credited in the same manner as provided in subsection (a) of
15 this section.

16
17 5-5-610. Disposition of forfeited real property.

18 (a)(1) All real property forfeited under the provisions of this
19 subchapter shall be sold to the highest bidder at a public auction for cash.

20 (2) The chief law enforcement officer of the initiating law
21 enforcement agency, or his or her designee, shall conduct the auction at such
22 place, on such notice, and in accordance with the same procedure, as far as
23 practicable, as is required in the case of sales of land under execution at
24 law.

25 (b) The proceeds of the sale shall be applied in the following order
26 to:

27 (1) Satisfy the cost and expense in administering and conducting
28 the sale; and

29 (2) Satisfy all mortgages, deeds of trust, liens and
30 encumbrances of record on the real property.

31 (c) Any proceeds remaining under the disposition described under
32 subsection (b) of this section will be deposited in the same manner as
33 provided in § 5-5-609.

34
35 5-5-611. In personam proceedings.

36 (a) In personam jurisdiction may be based on a defendant's presence in

1 the state, or on his or her conduct in the state, as set out in § 16-4-
2 101(B), and is subject to the provisions of subsection (b) of this section.

3 (b)(1) A temporary restraining order under this section may be entered
4 ex parte on application of the state, upon a showing that:

5 (A) There is probable cause to believe that the property
6 with respect to which the order is sought is subject to forfeiture under this
7 section; and

8 (B) Notice of the action would jeopardize the availability
9 of the property for forfeiture.

10 (2) Notice of the entry of a temporary restraining order and an
11 opportunity for a hearing shall be afforded to a person known to have an
12 interest in the real or personal property.

13 (3) A hearing under subdivision (b)(2) of this section shall be
14 held at the earliest possible date consistent with Rule 65 of the Arkansas
15 Rules of Civil Procedure and is limited to the issues of whether:

16 (A) There is a probability that the state will prevail on
17 the issue of forfeiture and that failure to enter the temporary restraining
18 order will result in the real or personal property being destroyed, conveyed,
19 alienated, encumbered, disposed of, received, removed from the jurisdiction
20 of the circuit court, concealed, or otherwise made unavailable for
21 forfeiture; and

22 (B) The need to preserve the availability of real or
23 personal property through the entry of the temporary restraining order
24 outweighs the hardship on any owner or interest holder against whom the
25 temporary restraining order is to be entered.

26 (c) The state has the burden of proof by a preponderance of the
27 evidence to show that the defendant's real or personal property is subject to
28 forfeiture.

29 (d)(1) After a determination of liability of a person for conduct
30 giving rise to forfeiture under this subchapter, the circuit court shall
31 enter a judgment of forfeiture of the real or personal property subject to
32 forfeiture as alleged in the complaint and may authorize the prosecuting
33 attorney or any law enforcement officer to seize any real or personal
34 property subject to forfeiture under § 5-5-601 not previously seized or not
35 then under seizure.

36 (2) The order of forfeiture shall be consistent with § 5-5-608.

1 (3) In connection with the judgment, on application of the
2 state, the circuit court may enter any appropriate order to protect the
3 interest of the state in the forfeited property.

4 (e) Subsequent to the finding of liability and order of forfeiture,
5 the following procedures apply:

6 (1) The prosecuting attorney shall give notice of pending
7 forfeiture, in the manner provided in Rule 4 of the Arkansas Rules of Civil
8 Procedure, to any owner or interest holder who has not previously been given
9 notice;

10 (2) An owner of or interest holder in the real or personal
11 property that has been ordered forfeited and whose claim is not precluded may
12 file a claim within thirty (30) days after initial notice of pending
13 forfeiture or after notice under Rule 4 of the Arkansas Rules of Civil
14 Procedure, whichever is earlier; and

15 (3) The circuit court may amend the in personam order of
16 forfeiture if the circuit court determines that a claimant has established
17 that he or she has an interest in the real or personal property and that the
18 interest is exempt under § 5-5-602.

19
20 5-5-612. Forfeiture of absent, encumbered, or indivisible real or
21 personal property.

22 The circuit court shall order the forfeiture of any other real or
23 personal property of an owner or defendant up to the value of the owner's or
24 defendant's real or personal property found by the circuit court to be
25 subject to forfeiture under this subchapter if any of the forfeitable real or
26 personal property had remained under the control or custody of the owner or
27 defendant and the forfeitable real or personal property:

28 (1) Cannot be located;

29 (2) Was transferred or conveyed to, sold to, or deposited with a
30 third party;

31 (3) Is beyond the jurisdiction of the circuit court;

32 (4) Substantially diminished in value while not in the actual
33 physical custody of the seizing law enforcement agency;

34 (5) Was commingled with other property that cannot be divided
35 without difficulty; or

36 (6) Is subject to any interest exempted from forfeiture under §

1 5-5-602.

2
3 5-5-613. Conviction required – Exceptions.

4 (a) There shall be no civil judgment under this subchapter and no
5 property shall be forfeited unless the person from whom the property is
6 seized is convicted of a felony offense under the Human Trafficking Act of
7 2013, § 5-18-101 et seq., that related to the property being seized and that
8 permits the forfeiture of the property.

9 (b) The court may waive the conviction requirement under this section
10 if the prosecuting attorney shows by clear and convincing evidence that,
11 before a conviction, the person from whom the property was seized:

12 (1) Died;

13 (2) Was deported by the United States Government;

14 (3) Was granted immunity or reduced punishment in exchange for
15 testifying or assisting a law enforcement agency or prosecution;

16 (4) Fled the jurisdiction or failed to appear on the underlying
17 criminal charge;

18 (5) Failed to answer the complaint for civil asset forfeiture
19 under § 5-4-607 as specified in the Arkansas Rules of Civil Procedure;

20 (6) Abandoned or disclaimed his or her ownership interest in the
21 real or personal property seized; or

22 (7) Agreed in writing with the prosecuting attorney and other
23 parties as to the disposition of the real or personal property.

24
25 SECTION 5. Arkansas Code § 5-18-103(d)(2), concerning the additional
26 fine payment upon conviction for trafficking of persons, is amended to read
27 as follows:

28 (2) Fine payments received under subdivision (d)(1) of this
29 section shall be deposited ~~as follows:~~

30 ~~(A) Fifty percent (50%) into the Safe Harbor Fund for~~
31 ~~Sexually Exploited Children; and~~

32 ~~(B) Fifty percent (50%) into the Human Trafficking Victim~~
33 ~~Support Fund into the Arkansas Human Trafficking Council Support Fund.~~

34
35 SECTION 6. Arkansas Code § 5-18-104(c)(2), concerning the additional
36 fine payment upon conviction for patronizing a victim of human trafficking,

1 is amended to read as follows:

2 (2) Fine payments received under subdivision (c)(1) of this
3 section shall be deposited ~~as follows:~~

4 (A) ~~Fifty percent (50%) into the Safe Harbor Fund for~~
5 ~~Sexually Exploited Children ; and~~

6 (B) ~~Fifty percent (50%) into the Human Trafficking Victim~~
7 ~~Support Fund~~ into the Arkansas Human Trafficking Council Support Fund.

8
9 SECTION 7. Arkansas Code § 5-18-106(c)(2), concerning the additional
10 fine payment upon conviction for grooming a minor for future sex trafficking,
11 is amended to read as follows:

12 (2) Fine payments received under subdivision (c)(1) of this
13 section shall be deposited ~~as follows:~~

14 (A) ~~Fifty percent (50%) into the Safe Harbor Fund for~~
15 ~~Sexually Exploited Children; and~~

16 (B) ~~Fifty percent (50%) into the Human Trafficking Victim~~
17 ~~Support Fund~~ into the Arkansas Human Trafficking Council Support Fund.

18
19 SECTION 8. Arkansas Code § 5-18-107(f)(2), concerning the additional
20 fine payment upon conviction for traveling for the purpose of an unlawful sex
21 act with a minor, is amended to read as follows:

22 (2) Fine payments received under subdivision (f)(1) of this
23 section shall be deposited ~~as follows:~~

24 (A) ~~Fifty percent (50%) into the Safe Harbor Fund for~~
25 ~~Sexually Exploited Children; and~~

26 (B) ~~Fifty percent (50%) into the Human Trafficking Victim~~
27 ~~Support Fund~~ into the Arkansas Human Trafficking Council Support Fund.

28
29 SECTION 9. Arkansas Code Title 5, Chapter 27, Subchapter 2, is amended
30 to add an additional section to read as follows:

31 5-27-234. Harboring an endangered runaway minor.

32 (a) A person commits the offense of harboring an endangered runaway
33 minor if he or she knowingly harbors a minor who is an endangered runaway
34 minor.

35 (b) Harboring an endangered runaway minor is a:

36 (1) Class A misdemeanor for a first offense; and

1 (2) Class D felony for a second or subsequent offense.

2 (c)(1) In addition to any other sentence authorized by this section, a
 3 person who violates this section upon conviction shall be ordered to pay a
 4 fine of one thousand dollars (\$1,000).

5 (2) Fine payments received under subdivision (c)(1) of this
 6 section shall be deposited one hundred percent (100%) into the Arkansas Human
 7 Trafficking Council Support Fund.

8 (d) As used in this section, "endangered runaway minor" means an
 9 unemancipated minor who is voluntarily absent from his or her home for at
 10 least seventy-two (72) hours without a compelling reason and without the
 11 consent of his or her custodial parent, guardian, or legal custodian.

12
 13 SECTION 10. Arkansas Code § 5-70-102(e)(2), concerning the additional
 14 fine payment upon conviction for prostitution, is amended to read as follows:

15 (2) Fine payments received under subdivision (e)(1) of this
 16 section shall be deposited ~~as follows:~~

17 ~~(A) Fifty percent (50%) into the Safe Harbor Fund for~~
 18 ~~Sexually Exploited Children; and~~

19 ~~(B) Fifty percent (50%) into the Human Trafficking Victim~~
 20 ~~Support Fund into the Arkansas Human Trafficking Council Support Fund.~~

21
 22 SECTION 11. Arkansas Code § 5-70-103 is amended to read as follows:

23 5-70-103. Sexual solicitation.

24 (a) A person commits the offense of sexual solicitation if he or she:

25 (1) Offers or agrees to pay a fee to a person to engage in
 26 sexual activity with him or her or another person; or

27 (2) Solicits or requests a person to engage in sexual activity
 28 with him or her in return for a fee.

29 (b) Sexual solicitation is ~~an unclassified misdemeanor with the~~
 30 ~~following sentences: a:~~

31 ~~(1) For a first offense:~~

32 ~~(A) No more than ninety (90) days' imprisonment;~~

33 ~~(B) A fine of no more than two thousand dollars (\$2,000);~~

34 ~~or~~

35 ~~(C) Both imprisonment and a fine; and~~

36 ~~(2) For a second or subsequent offense:~~

1 ~~(A) No more than one (1) year of imprisonment;~~

2 ~~(B) A fine of no more than three thousand five hundred~~
 3 ~~dollars (\$3,500); or~~

4 ~~(C) Both imprisonment and a fine.~~

5 (1) Class A misdemeanor for a first offense; and

6 (2) Class D felony for a second or subsequent offense.

7 (c) It is an affirmative defense to prosecution under this section
 8 that the person engaged in an act of sexual solicitation as a result of being
 9 a victim of trafficking of persons, § 5-18-103.

10 (d)(1) In addition to any other sentence authorized by this section, a
 11 person who violates this section by offering to pay, agreeing to pay, or
 12 paying a fee to engage in sexual activity upon conviction shall be ordered to
 13 pay a fine of two thousand five hundred dollars (\$2,500).

14 (2) Fine payments received under subdivision (d)(1) of this
 15 section shall be deposited ~~as follows:~~

16 ~~(A) Fifty percent (50%) into the Safe Harbor Fund for~~
 17 ~~Sexually Exploited Children; and~~

18 ~~(B) Fifty percent (50%) into the Human Trafficking Victim~~
 19 ~~Support Fund into the Arkansas Human Trafficking Council Support Fund.~~

20
 21 SECTION 12. Arkansas Code § 5-70-104(c)(2), concerning the additional
 22 fine payment upon conviction for promoting prostitution in the first degree,
 23 is amended to read as follows:

24 (2) Fine payments received under subdivision (c)(1) of this
 25 section shall be deposited ~~as follows:~~

26 ~~(A) Fifty percent (50%) into the Safe Harbor Fund for~~
 27 ~~Sexually Exploited Children; and~~

28 ~~(B) Fifty percent (50%) into the Human Trafficking Victim~~
 29 ~~Support Fund into the Arkansas Human Trafficking Council Support Fund.~~

30
 31 SECTION 13. Arkansas Code § 5-70-105(c)(2), concerning the additional
 32 fine payment upon conviction for promoting prostitution in the second degree,
 33 is amended to read as follows:

34 (2) Fine payments received under subdivision (c)(1) of this
 35 section shall be deposited ~~as follows:~~

36 ~~(A) Fifty percent (50%) into the Safe Harbor Fund for~~

1 ~~Sexually Exploited Children; and~~

2 ~~(B) Fifty percent (50%) into the Human Trafficking Victim~~
 3 ~~Support Fund into the Arkansas Human Trafficking Council Support Fund.~~

4
 5 SECTION 14. Arkansas Code § 5-70-106(c)(2), concerning the additional
 6 fine payment upon conviction for promoting prostitution in the third degree,
 7 is amended to read as follows:

8 (2) Fine payments received under subdivision (c)(1) of this
 9 section shall be deposited ~~as follows:~~

10 ~~(A) Fifty percent (50%) into the Safe Harbor Fund for~~
 11 ~~Sexually Exploited Children; and~~

12 ~~(B) Fifty percent (50%) into the Human Trafficking Victim~~
 13 ~~Support Fund into the Arkansas Human Trafficking Council Support Fund.~~

14
 15 SECTION 15. Arkansas Code § 5-70-107(e)(2), concerning the additional
 16 fine payment upon conviction for sexual solicitation of a minor, is amended
 17 to read as follows:

18 (2) Fine payments received under subdivision (e)(1) of this
 19 section shall be deposited ~~as follows:~~

20 ~~(A) Fifty percent (50%) into the Safe Harbor Fund for~~
 21 ~~Sexually Exploited Children; and~~

22 ~~(B) Fifty percent (50%) into the Human Trafficking Victim~~
 23 ~~Support Fund into the Arkansas Human Trafficking Council Support Fund.~~

24
 25 SECTION 16. Arkansas Code § 5-70-107, concerning the offense of sexual
 26 solicitation of a minor, is amended to add an additional subsection to read
 27 as follows:

28 (f) A person who violates this section upon conviction shall be
 29 ordered to attend an education or treatment program for the prevention of sex
 30 offenses and rehabilitation of sex offenders approved by the Human
 31 Trafficking Operations Unit of the Division of Arkansas State Police.

32
 33 Section 17. Arkansas Code § 12-19-101 is repealed.

34 ~~12-19-101. State Task Force for the Prevention of Human Trafficking.~~

35 ~~(a)(1) The Attorney General may establish a State Task Force for the~~
 36 ~~Prevention of Human Trafficking.~~

1 ~~(2) The task force shall address all aspects of human~~
2 ~~trafficking, including sex trafficking and labor trafficking of both United~~
3 ~~States citizens and foreign nationals.~~

4 ~~(b) If established, representatives on the task force shall be~~
5 ~~appointed by the Attorney General and may include representatives from:~~

6 ~~(1) The office of the Attorney General;~~

7 ~~(2) The office of the Governor;~~

8 ~~(3) The Department of Labor and Licensing;~~

9 ~~(4) The Department of Health;~~

10 ~~(5) The Department of Human Services;~~

11 ~~(6) The Arkansas Association of Chiefs of Police;~~

12 ~~(7) The Arkansas Sheriffs' Association;~~

13 ~~(8) The Division of Arkansas State Police;~~

14 ~~(9) The Arkansas Prosecuting Attorneys Association;~~

15 ~~(10) Local law enforcement; and~~

16 ~~(11) Nongovernmental organizations such as:~~

17 ~~(A) Those specializing in the problems of human~~
18 ~~trafficking;~~

19 ~~(B) Those representing diverse communities~~
20 ~~disproportionally affected by human trafficking;~~

21 ~~(C) Agencies devoted to child services and runaway~~
22 ~~services; and~~

23 ~~(D) Academic researchers dedicated to the subject of human~~
24 ~~trafficking.~~

25 ~~(c) If the task force is created by the Attorney General, he or she~~
26 ~~may invite federal agencies that operate in the state to be members of the~~
27 ~~task force, including without limitation:~~

28 ~~(1) The Federal Bureau of Investigation;~~

29 ~~(2) United States Immigration and Customs Enforcement; and~~

30 ~~(3) The United States Department of Labor.~~

31 ~~(d) If the task force is created by the Attorney General, the task~~
32 ~~force shall:~~

33 ~~(1) Develop a state plan;~~

34 ~~(2) Coordinate the implementation of the state plan;~~

35 ~~(3) Coordinate the collection and sharing of human trafficking~~
36 ~~data among government agencies in a manner that ensures that the privacy of~~

1 ~~victims of human trafficking is protected and that the data collection shall~~
2 ~~respect the privacy of victims of human trafficking;~~

3 ~~(4) Coordinate the sharing of information between agencies to~~
4 ~~detect individuals and groups engaged in human trafficking;~~

5 ~~(5) Explore the establishment of state policies for time limits~~
6 ~~for the issuance of law enforcement agency endorsements as described in 8~~
7 ~~C.F.R. § 214.11(f)(1), as it existed on January 1, 2013;~~

8 ~~(6) Establish policies to enable state government to work with~~
9 ~~nongovernmental organizations and other elements of the private sector to~~
10 ~~prevent human trafficking and provide assistance to victims of human~~
11 ~~trafficking who are United States citizens or foreign nationals;~~

12 ~~(7) Evaluate various approaches used by state and local~~
13 ~~governments to increase public awareness of human trafficking, including~~
14 ~~trafficking of United States citizens and foreign national victims;~~

15 ~~(8) Develop curriculum and train law enforcement agencies,~~
16 ~~prosecutors, public defenders, judges, and others involved in the criminal~~
17 ~~and juvenile justice systems on:~~

18 ~~(A) Offenses under the Human Trafficking Act of 2013, § 5-~~
19 ~~18-101 et seq.;~~

20 ~~(B) Methods used in identifying victims of human~~
21 ~~trafficking who are United States citizens or foreign nationals, including~~
22 ~~preliminary interview techniques and appropriate questioning methods;~~

23 ~~(C) Methods for prosecuting human traffickers;~~

24 ~~(D) Methods of increasing effective collaboration with~~
25 ~~nongovernmental organizations and other relevant social service organizations~~
26 ~~in the course of investigating and prosecuting a human trafficking case;~~

27 ~~(E) Methods for protecting the rights of victims of human~~
28 ~~trafficking, taking into account the need to consider human rights and~~
29 ~~special needs of women and minors;~~

30 ~~(F) The necessity of treating victims of human trafficking~~
31 ~~as crime victims rather than criminals; and~~

32 ~~(G) Methods for promoting the safety of victims of human~~
33 ~~trafficking; and~~

34 ~~(9) Submit a report of its findings and recommendations to the~~
35 ~~Governor, the Speaker of the House of Representatives, and the President Pro~~
36 ~~Tempore of the Senate.~~

1 SECTION 18. Arkansas Code Title 12, Chapter 19, is amended to add an
2 additional subchapter to read as follows:

3 Subchapter 2 – Human Trafficking Operations Unit

4
5 12-19-201. Human Trafficking Operations Unit – Creation – Duties.

6 (a) There is established a Human Trafficking Operations Unit within
7 the Division of Arkansas State Police.

8 (b) The Human Trafficking Operations Unit shall:

9 (1) Consist of commissioned officers and analysts of the
10 division;

11 (2) Support and initiate criminal investigations of human
12 trafficking, including sex trafficking and forced labor; and

13 (3) Support and initiate investigations involving missing
14 children that are considered high-risk victims.

15
16 12-19-202. Human Trafficking Coordinator – Creation – Duties.

17 (a) There is created the position of Human Trafficking Coordinator
18 within the Division of Arkansas State Police.

19 (b) The Human Trafficking Coordinator shall:

20 (1) Coordinate the implementation of this subchapter;

21 (2) Serve as a commissioned officer within the Division of
22 Arkansas State Police and perform duties as assigned;

23 (3) Supervise the Human Trafficking Operations Unit and Human
24 Trafficking Analyst;

25 (4) Evaluate state efforts to combat human trafficking and
26 identify areas for improvement;

27 (5) Collect data on human trafficking activity within the state
28 on an ongoing basis, including types of activities reported, efforts to
29 combat human trafficking, and impact on victims and on the state;

30 (6) Redact identifying information of any victim and his or her
31 family from all publicly released portions of the collected data;

32 (7) Promote public awareness about human trafficking, remedies
33 and services for victims, and hotline information;

34 (8) Create and maintain a website to publicize human trafficking
35 prevention efforts;

36 (9) Prepare and submit the annual report of the Human

1 Trafficking Operations Unit to the Game and Fish/State Police Subcommittee of
2 the Legislative Council, the Senate Interim Committee on Children and Youth,
3 and the House Committee on Aging, Children and Youth, Legislative and
4 Military Affairs;

5 (10) Develop and implement policies pertaining to the use of the
6 Arkansas Human Trafficking Council Support Fund to support investigations and
7 services for victims of human trafficking in the state;

8 (11) Assist in the creation and operations of local human
9 trafficking task forces or working groups around the state, including serving
10 on a task force or a multidisciplinary child protection team;

11 (12) Prepare and submit applications for relevant available
12 grants that may enhance the investigation and prosecution of trafficking
13 offenses or to improve victim services to combat human trafficking within
14 this state; and

15 (13) Perform any other duties as required by the division.

16 (c)(1) The Human Trafficking Coordinator may seek input and assistance
17 from state agencies, nongovernmental agencies, service providers, and other
18 individuals in the performance of the duties of the Human Trafficking
19 Coordinator.

20 (2) Each state agency, board, and commission shall be required
21 to fully cooperate with the Human Trafficking Coordinator when assistance is
22 requested under subdivision (c)(1) of this section.

23 (3) Every investigation of a human trafficking offense shall be
24 reported to the Human Trafficking Coordinator by the initiating law
25 enforcement agency under guidelines established by the Human Trafficking
26 Coordinator.

27 (4) A state agency, nongovernmental agency, service provider, or
28 local or state law enforcement agency providing information to the Human
29 Trafficking Coordinator under this subchapter may disclose identifying
30 information regarding a minor victim to the Human Trafficking Coordinator for
31 the purposes of evaluating and collecting data regarding trafficking offenses
32 in the state.

33
34 12-19-203. Human Trafficking Analyst – Creation – Duties.

35 (a) There is created the position of Human Trafficking Analyst within
36 the Division of Arkansas State Police.

1 (b) The Human Trafficking Analyst shall:

2 (1) Provide the Human Trafficking Operations Unit with
3 objective, reliable, comparable, current data, and information in the field
4 of human trafficking;

5 (2) Direct support to a law enforcement officer investigating
6 human trafficking on all tips, reports of possible human trafficking, and
7 undercover operations; and

8 (3) Assist the Human Trafficking Coordinator with carrying out
9 the functions of the Human Trafficking Operations Unit.

10
11 SECTION 19. Arkansas Code § 19-5-1261 is repealed.

12 ~~19-5-1261. Human Trafficking Victim Support Fund — Definition.~~

13 ~~(a) There is created on the books of the Treasurer of State, the~~
14 ~~Auditor of State, and the Chief Fiscal Officer of the State a fund to be~~
15 ~~known as the “Human Trafficking Victim Support Fund”.~~

16 ~~(b) The fund shall consist of fees collected under § 5-5-501(d), fines~~
17 ~~collected under § 5-18-103(d), § 5-18-104(e), § 5-18-106(e), § 5-18-107(f), §~~
18 ~~5-70-102(e), § 5-70-103(d), § 5-70-104(e), § 5-70-105(e), § 5-70-106(e), and~~
19 ~~§ 5-70-107(e), and any other revenues authorized by law.~~

20 ~~(c)(1) The fund shall be administered by the Attorney General.~~

21 ~~(2) The Attorney General shall use the fund to provide:~~

22 ~~(A) Grants to nonprofit, religious, and other third-party~~
23 ~~organizations that provide services and treatment, such as securing~~
24 ~~residential housing, health services, and social services for victims of~~
25 ~~human trafficking;~~

26 ~~(B) Training and education related to human trafficking to~~
27 ~~law enforcement; and~~

28 ~~(C) For the management and operation of the fund.~~

29 ~~(d) As used in this section, “victim of human trafficking” means a~~
30 ~~person who has been subject to sexual exploitation because the person:~~

31 ~~(1) Is a victim of trafficking of persons under § 5-18-103;~~

32 ~~(2) Is a victim of child sex trafficking under 18 U.S.C. § 1591,~~
33 ~~as it existed on January 1, 2017; or~~

34 ~~(3) Engages in an act of prostitution under § 5-70-102 or sexual~~
35 ~~solicitation under § 5-70-103 or § 5-70-107.~~

36

1 SECTION 20. Arkansas Code Title 19, Chapter 5, Subchapter 12, is
2 amended to add an additional section to read as follows:

3 19-5-1288. Arkansas Human Trafficking Council Support Fund –
4 Definition.

5 (a) There is created on the books of the Treasurer of State, the
6 Auditor of State, and the Chief Fiscal Officer of the State a miscellaneous
7 fund to be known as the "Arkansas Human Trafficking Council Support Fund".

8 (b) The fund shall consist of:

9 (1) Fees collected under § 5-5-501(d) and fines collected under
10 §§ 5-18-103(d), 5-18-104(c), 5-18-106(c), 5-18-107(f), 5-27-234(c), 5-70-
11 102(e), 5-70-103(d), 5-70-104(c), 5-70-105(c), 5-70-106(c), and 5-70-107(e);

12 (2) Moneys appropriated by the General Assembly;

13 (3) The interest accruing to the fund;

14 (4) Donations to the fund; and

15 (5) Any other revenues authorized by law.

16 (c)(1) The fund shall be administered by the Division of Arkansas
17 State Police.

18 (2) The division shall use the fund to provide:

19 (A) Services and treatment, such as securing residential
20 housing, advocacy and coordination, legal services, health services, and
21 social services for victims of human trafficking;

22 (B) Grants to nonprofit, religious, and other third-party
23 organizations that provide services and treatment, securing residential
24 housing, advocacy and coordination, legal services, health services, and
25 social services for victims of human trafficking;

26 (C) Training for the Human Trafficking Operations Unit;

27 (D) Equipment and supplies for the unit;

28 (E) Software and subscription licensing for the unit;

29 (F) Travel reimbursement and reconciliation for the unit;

30 (G) Outreach material for the unit; and

31 (H) Support for other duties of the unit prescribed by
32 law.

33 (3) The fund shall not be used to purchase motor vehicles or
34 emergency equipment for motor vehicles.

35 (d) As used in this section, "victim of human trafficking" means a
36 person who has been subject to sexual exploitation because the person:

- 1 (1) Is a victim of trafficking of persons under § 5-18-103;
- 2 (2) Is a victim of child sex trafficking under 18 U.S.C. § 1591,
- 3 as it existed on January 1, 2025; or
- 4 (3) Engages in an act of prostitution under § 5-70-102 or sexual
- 5 solicitation under § 5-70-103 or § 5-70-107.

6

7 SECTION 21. DO NOT CODIFY. Temporary language.

8 Any fund balance that remains in the Human Trafficking Victim Support

9 Fund, § 19-5-1261, shall be transferred to the Arkansas Human Trafficking

10 Council Support Fund.

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36