

LFC Requester:	Chenier, Eric
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**AGENCY BILL ANALYSIS
2014 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

And

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original X **Amendment**
Correction **Substitute**

Date January 31, 2014
Bill No: HB181-305 Jan 31

Sponsor: Rep. Emily Kane
Short Human Trafficking Resource
Title: Center Hotline

Reviewing Attorney General's Office
Person Writing Carlos A. Gutierrez
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SECTION II: FISCAL IMPACT **FOR LFC OFFICIAL PURPOSES******
AGO STAFF SHOULD LEAVE SHADED AREAS BLANK

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY14	FY15		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY14	FY15	FY16		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates, Relates to, Conflicts with, Companion to

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY14	FY15	FY16	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

SECTION III: NARRATIVE

This analysis is neither a formal Attorney General’s Opinion nor an Attorney General’s Advisory Opinion Letter. This is a staff analysis in response to the agency’s, committee’s or legislator’s request.

BILL SUMMARY

Summary Synopsis:

This Bill requires employers subject to the Minimum Wage Act, licensed liquor establishments, health facilities licensed pursuant to the Public Health Act and state or local government agencies that manage a transportation facility to post a sign in English, Spanish and any other written language where ten percent or more of the workers or users of the facility speak that language containing a specific message relating to the crime of human trafficking and displaying the National Human Trafficking Resource Center Hotline number and The Life Link helpline number. The Bill also contains requirements on the size of the sign, how and where it should be displayed and the agencies responsible for providing information about the required notice.

FISCAL IMPLICATIONS WITH ENACTING THIS BILL

N/A

SIGNIFICANT LEGAL ISSUES

None.

PERFORMANCE IMPLICATIONS WITH ENACTING THIS BILL

The Bill's requirement of posting the sign in languages other than English and Spanish where ten percent or more of the workers or users of the facility speak that language builds in a flexibility to reach other populations that are targets of human trafficking investigations throughout New Mexico, such as Mandarin Chinese, Vietnamese or other Asian dialects for example. This is a worthy goal. However, the percentage of workers or users of such facilities may change over time to exceed or fall under the ten percent requirement. The Bill does not currently include criteria as to how often the relevant population should be reviewed in order to determine whether the ten percent has been reached; nor whether a sign containing an additional language should remain or be replaced should the relevant population fall below the ten percent threshold.

ADMINISTRATIVE IMPLICATIONS WITH ENACTING THIS BILL

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP WITH BILLS INTRODUCED THIS SESSION

N/A

TECHNICAL ISSUES OR DRAFTING ERROR

N/A

OTHER SUBSTANTIVE LEGAL ISSUES

The National Human Trafficking Resource Center (NHTRC) is a national, toll-free hotline, available to answer calls from anywhere in the country, 24 hours a day, 7 days a week, every day of the year. The NHTRC funnels either crisis calls or tips to appropriate local agencies including law enforcement, FBI, DHS, and the New Mexico Attorney General's Office. Where appropriate these agencies will investigate possible cases of human trafficking.

Since enactment of the Human Trafficking Act, NMSA 1978, Sections 30-52-1 to 30-52-3, in 2008, the NMAGO has engaged in public awareness campaigns that advertise the NHTRC hotline number. The NMAGO designed and implemented a massive statewide anti-human trafficking media campaigns featuring all forms of human trafficking by utilizing: billboards strategically placed throughout New Mexico; buses with full or 2/3 back wraps and/or interior signs and at bus shelters in Albuquerque, Santa Fe and Las Cruces which are wrapped on the exterior and interior; and messages on bus stop shelters. Over 18,232 television and radio spots ran throughout the state.

The NMAGO partnered with NHTRC's 24-7 hotline. The NHTRC Hotline number was listed prominently on all our media campaign sites.

In the first six months of 2013, of the sixty calls from New Mexico to the NHTRC, six of the callers were aware of the hotline from an Internet-Web Search, two by referral, two by word of mouth and one each from television, pamphlet, campaign, billboard and prior knowledge.

The current NMAGO campaign to promote the NHTRC Hotline is aimed at reaching out to victims of human trafficking and providing them with the phone number to the National Human Trafficking Hotline. The NMAGO's experience in handling human trafficking cases in New Mexico tells us that victims are being brought into our state from other states and moved along our major interstates. The NMAGO has created fifty dispensers, which display a poster with information about human trafficking and the NHTRC Hotline number. The poster provides the information in four different languages, English, Spanish, Mandarin Chinese and Vietnamese. The dispensers also contain small notecards with the NHTRC Hotline number, which can be pulled from the bottom of the dispenser. The New Mexico Department of Transportation is allowing the NMAGO access to rest areas throughout the state to install these dispensers in restrooms along N.M.'s major Interstate Highways. The NMAGO will also be soliciting truck stops throughout the state for permission to install dispensers at these roadside establishments. The NHTRC has agreed to track the number of calls from New Mexico which directly result from this outreach effort, in addition to receiving hotline calls, which are screened and directed to law enforcement and services where appropriate.

In the first six months of 2013, of the sixty calls from New Mexico to the NHTRC, thirteen were classified as crisis or tip calls and fourteen as high risk calls, and eleven calls referenced potential human trafficking situations in New Mexico.

ALTERNATIVES TO ENACTING THIS BILL

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo- Agencies like the NMAGO and other non-profits throughout New Mexico, including The Life Link and the New Mexico Coalition of Sexual Assault Programs will continue to promote the NHTRC Hotline and provide public awareness about human trafficking.

AMENDMENTS NEEDED TO IMPROVE THIS BILL N/A