

114TH CONGRESS
1ST SESSION

S. 1028

To amend the Child Abuse Prevention and Treatment Act to enable State child protective services systems to improve the identification and assessment of child victims of sex trafficking, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 21, 2015

Mr. PORTMAN introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Child Abuse Prevention and Treatment Act to enable State child protective services systems to improve the identification and assessment of child victims of sex trafficking, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ensuring a Better Re-
5 sponse for Victims of Child Sex Trafficking”.

6 **SEC. 2. CAPTA AMENDMENTS.**

7 (a) IN GENERAL.—The amendments to the Child
8 Abuse Prevention and Treatment Act (42 U.S.C. 5101 et

1 seq.) made by this section shall take effect no later than
2 the date that is 2 years after the date of the enactment
3 of this Act.

4 (b) STATE PLANS.—Section 106 of the Child Abuse
5 Prevention and Treatment Act (42 U.S.C. 5106a) is
6 amended—

7 (1) in subsection (b)(2)(B)—

8 (A) in clause (xxii), by striking “and” at
9 the end; and

10 (B) by adding at the end the following:

11 “(xxiv) provisions and procedures re-
12 quiring identification and assessment of all
13 reports involving children known or sus-
14 pected to be victims of sex trafficking (as
15 defined in section 103(10) of the Traf-
16 ficking Victims Protection Act of 2000 (22
17 U.S.C. 7102 (10))); and

18 “(xxv) provisions and procedures for
19 training child protective services workers
20 about identifying, assessing, and providing
21 comprehensive services for children who
22 are sex trafficking victims, including ef-
23 forts to coordinate with State law enforce-
24 ment, juvenile justice, and social service
25 agencies such as runaway and homeless

1 youth shelters to serve this population;”;
2 and

3 (2) in subsection (d), by adding at the end the
4 following:

5 “(17) The number of children determined to be
6 victims described in subsection (b)(2)(B)(xxiv).”.

7 (c) SPECIAL RULE.—

8 (1) IN GENERAL.—Section 111 of the Child
9 Abuse Prevention and Treatment Act (42 U.S.C.
10 5106g) is amended—

11 (A) by striking “For purposes” and insert-
12 ing the following:

13 “(a) DEFINITIONS.—For purposes”; and

14 (B) by adding at the end the following:

15 “(b) SPECIAL RULE.—

16 “(1) IN GENERAL.—For purposes of section
17 3(2) and subsection (a)(4), a child shall be consid-
18 ered a victim of ‘child abuse and neglect’ and of
19 ‘sexual abuse’ if the child is identified, by a State or
20 local agency employee of the State or locality in-
21 volved, as being a victim of sex trafficking (as de-
22 fined in paragraph (10) of section 103 of the Traf-
23 ficking Victims Protection Act of 2000 (22 U.S.C.
24 7102)) or a victim of severe forms of trafficking in

1 persons described in paragraph (9)(A) of that sec-
2 tion.

3 “(2) STATE OPTION.—Notwithstanding the def-
4 inition of ‘child’ in section 3(1), a State may elect
5 to define that term for purposes of the application
6 of paragraph (1) to section 3(2) and subsection
7 (a)(4) as a person who has not attained the age of
8 24.”.

9 (2) CONFORMING AMENDMENT.—Section 3(2)
10 of the Child Abuse Prevention and Treatment Act
11 (42 U.S.C. 5101 note) is amended by inserting “(in-
12 cluding sexual abuse as determined under section
13 111)” after “sexual abuse or exploitation”.

14 (3) TECHNICAL CORRECTION.—Paragraph
15 (5)(C) of subsection (a), as so designated, of section
16 111 of the Child Abuse Prevention and Treatment
17 Act (42 U.S.C. 5106g) is amended by striking “in-
18 humane;” and inserting “inhumane.”.

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