

**FORTY-NINTH LEGISLATURE  
FIRST SESSION, 2009**

March 20, 2009

Mr. Speaker:

Your **JUDICIARY COMMITTEE**, to whom has been referred

**SENATE BILL 268, as amended**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. Strike Senate Judiciary Committee Amendment 1.
2. Strike Senate Floor Amendment number 1.
3. On page 1, line 12, after the semicolon, strike the remainder of the line and strike line 13 through the first semicolon.
4. On pages 1 and 2, strike Sections 1 and 2 and insert in lieu thereof:

"Section 1. A new section of Chapter 30, Article 52 NMSA 1978 is enacted to read:

"[NEW MATERIAL] DEFINITIONS.--As used in Chapter 30, Article 52 NMSA 1978:

A. "human trafficking victim" means a person subjected to human trafficking by a person charged in New Mexico with the crime of human trafficking pursuant to Section 30-52-1 NMSA 1978; and

B. "human trafficking victim advocate" means a person provided through a nonprofit agency with expertise in providing services for victims of crime."

Section 2. A new section of Chapter 30, Article 52 NMSA 1978 is enacted to read:

"[NEW MATERIAL] PROTECTION AND ASSISTANCE TO HUMAN TRAFFICKING VICTIMS.--

A. A local law enforcement agency trained by the task force to combat human trafficking shall develop a human trafficking safety plan and submit the plan to the office of the attorney

**FORTY-NINTH LEGISLATURE  
FIRST SESSION, 2009**

HJC/SB 268

Page 2

general.

B. Upon identifying a human trafficking victim, the local law enforcement agency shall contact a human trafficking victim advocate on behalf of the victim immediately or as soon as practicable.

C. A human trafficking victim advocate shall assist the human trafficking victim in completing any documents for an adjustment of immigration status and for applying for victim certification pursuant to the federal Victims of Trafficking and Violence Protection Act of 2000.

D. Local law enforcement or a representative of the district attorney's office shall sign the documents presented by the human trafficking victim or the human trafficking victim advocate that are necessary for victim certification pursuant to the federal Victims of Trafficking and Violence Protection Act of 2000, and shall cooperate with the victim or the victim advocate in providing other documents or information in their possession that would facilitate certification, unless otherwise prohibited by law."".

5. On page 3, line 4, strike the subsection designation "A.".

6. On page 3, line 10, after the period, insert "If a victim is unable to cooperate due to physical or psychological trauma, the victim shall still be eligible for benefits and services.".

7. On page 3, lines 13 through 20, strike the paragraph designations "(1)" through "(7)" and insert in lieu thereof the subsection designations "A." through "G.", respectively.".

8. On page 3, strike lines 22 through 24 in their entirety.

9. On page 3, line 25, strike the paragraph designation "(11)" and insert in lieu thereof the subsection designation "H.".

10. On page 4, line 2, strike the paragraph designation "(12)" and insert in lieu thereof the subsection designation "I.".

11. On page 4, strike lines 5 through 8 in their entirety and insert in lieu thereof a closing quotation mark.

**FORTY-NINTH LEGISLATURE  
FIRST SESSION, 2009**

HJC/SB 268

Page 3

12. On page 4, between lines 21 and 22, insert:

"(4) the secretary of human services or the secretary's designee;"

13. Renumber the succeeding paragraphs accordingly.

14. On page 6, line 4, strike "victims" and insert in lieu thereof "victim".

15. On page 6, between lines 5 and 6, insert:

"(6) provide law enforcement agencies with contact information for human trafficking victim advocates;"

16. Renumber the succeeding paragraphs accordingly.

17. On page 6, between lines 14 and 15, insert:

"(10) survey community resources to provide information to local law enforcement and human trafficking victim advocates, develop a safety plan template for local law enforcement agencies and update the survey and template as needed;"

18. Renumber the succeeding paragraphs accordingly.

Respectfully submitted,

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**Al Park, Chairman**

Adopted \_\_\_\_\_  
(Chief Clerk)

Not Adopted \_\_\_\_\_  
(Chief Clerk)

Date \_\_\_\_\_

**FORTY-NINTH LEGISLATURE  
FIRST SESSION, 2009**

HJC/SB 268

Page 4

The roll call vote was 10 For 0 Against  
Yes: 10  
No: 0  
Excused: Bandy, Barela, Cervantes, Martinez, K.  
Absent: None

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