

State of Wisconsin



2023 Assembly Bill 978

Date of enactment: **March 27, 2024**

Date of publication*: **March 28, 2024**

2023 WISCONSIN ACT 239

AN ACT *to repeal* 15.257 (3), 59.54 (29), 66.0511 (4) and 165.29; *to amend* 66.0511 (title); and *to create* 15.257 (3), 59.54 (29), 66.0511 (4), 165.29 and 165.85 (3m) (d) of the statutes; **relating to:** creation of a Human Trafficking Council.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 15.257 (3) of the statutes is created to read:

15.257 (3) HUMAN TRAFFICKING COUNCIL. There is created in the department of justice a human trafficking council. The council shall consist of the following members:

- (a) The secretary of administration, or his or her designee.
- (b) The secretary of children and families, or his or her designee.
- (c) The secretary of health services, or his or her designee.
- (d) The state superintendent of public instruction, or his or her designee.
- (e) The secretary of safety and professional services, or his or her designee.
- (f) The secretary of transportation, or his or her designee.
- (g) The secretary of workforce development, or his or her designee.
- (h) The state public defender, or his or her designee.
- (i) Two senators and 2 representatives to the assembly from the 2 major political parties, appointed as are members of standing committees.

(j) To be appointed by the Wisconsin District Attorneys Association, one district attorney holding office in this state.

(k) To be appointed by the Wisconsin Chiefs of Police Association, one chief of police or chief of a combined protective services department holding office in this state.

(L) To be appointed by the Badger State Sheriffs' Association, one sheriff holding office in this state.

(m) To be appointed by the Wisconsin Sheriffs and Deputy Sheriffs Association, one sheriff holding office in this state.

(n) To be appointed by the attorney general, 4 representatives of organizations that provide human trafficking victim support services. The representatives appointed under this paragraph shall be from organizations that serve different geographic areas of the state, including both urban and rural communities.

(o) To be appointed by the Great Lakes Inter-Tribal Council, Inc., one Native American member.

(p) One representative of the office of crime victim services.

(q) The director of the department of justice division of criminal investigation human trafficking and Internet crimes against children bureau, or his or her designee.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

SECTION 2. 15.257 (3) of the statutes, as created by 2023 Wisconsin Act (this act), is repealed.

SECTION 3. 59.54 (29) of the statutes is created to read:

59.54 (29) **SEX TRAFFICKING TASK FORCES.** In any county that has received a recommendation from the human trafficking council under s. 165.29 (1) (d), the board shall review the recommendation, and the board is encouraged to establish a sex trafficking task force that includes representatives from law enforcement agencies, county departments, and local nonprofit groups to coordinate efforts to combat sex trafficking in that county, including identifying and investigating sex trafficking, supporting victims, and raising community awareness.

SECTION 4. 59.54 (29) of the statutes, as created by 2023 Wisconsin Act (this act), is repealed.

SECTION 5. 66.0511 (title) of the statutes is amended to read:

66.0511 (title) Law enforcement agency agencies; certain policies on use of force and citizen complaint procedures.

SECTION 6. 66.0511 (4) of the statutes is created to read:

66.0511 (4) **HUMAN TRAFFICKING PREVENTION AND ENFORCEMENT.** Each person in charge of a law enforcement agency in a county that has received a recommendation from the human trafficking council under s. 165.29 (1) (d) is encouraged to designate a law enforcement officer of the law enforcement agency to coordinate the law enforcement agency's human trafficking prevention and enforcement efforts.

SECTION 7. 66.0511 (4) of the statutes, as created by 2023 Wisconsin Act (this act), is repealed.

SECTION 8. 165.29 of the statutes is created to read:
165.29 Human trafficking council. (1) The human trafficking council shall do all of the following:

(a) Compile and maintain an inventory of human trafficking prevention programs and services in this state and develop, maintain, and keep current an online database to share information among counties, law enforcement agencies, state agencies that have responsibilities relating to sex trafficking, and organizations that provide human trafficking prevention programs and services or victim support programs and services. The database shall include an online portal that is accessible by each such entity.

(b) Beginning on July 1, 2028, and once every 3 years thereafter, define, review, and assess the efficacy of the expenditure of state funds allocated to human trafficking prevention.

(c) Compile data on human trafficking offenses committed in this state using metrics the council determines to be of use, including at a minimum the annual number of arrests, prosecutions, and convictions for human trafficking offenses under s. 940.302 or 948.051.

(d) Assess sex trafficking activities in each county, establish criteria to be used as the basis for recommendations to counties, and make recommendations to counties as to whether a human trafficking task force should be established in that county or that a law enforcement agency in that county designate a law enforcement officer to coordinate the law enforcement agency's human trafficking prevention and enforcement efforts.

(e) Assess the regulation and oversight of facilities that provide residential care in a congregate living environment, including community-based residential facilities, as defined in s. 50.01 (1g), and group homes licensed under s. 48.625, as it relates to victims of human trafficking.

(f) Assess the frequency and extent to which social media platforms are used to assist, facilitate, or support human trafficking in this state; establish a process to detect such use on a consistent basis; and develop recommendations on how to stop, reduce, or prevent social media platforms from being used for human trafficking purposes.

(g) Develop a state strategic plan for preventing human trafficking, providing resources for law enforcement initiatives, providing resources to organizations that provide human trafficking prevention programs and services or human trafficking victim support services programs and services, and creating or providing access to relevant training programs for law enforcement or such organizations.

(h) In consultation with the department of justice, develop a model protocol for interviewing and interacting with individuals who are victims of human trafficking offenses under s. 940.302 or 948.051.

(i) Develop a model training program for counties relating to reducing interest in solicitation by individuals who solicit or facilitate commercial sex acts.

(j) 1. By July 1 of each year, submit to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) and post on the department of administration's and department of justice's websites a report that summarizes the data collected by the council during the previous year, the activities of the council during the previous year, and any obstacles that prevented the council from successfully carrying out its duties during the previous year.

2. In the 3rd report submitted under subd. 1., include a recommendation as to whether the council should continue to operate after June 30, 2029, and recommendations relating to moving the council's ongoing initiatives to state agencies or counties or other local units of governments.

(2) The human trafficking council may request from, and the department of administration and department of justice shall collaborate to provide, any data necessary to

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carry out the human trafficking council’s duties under sub. (1).

SECTION 9. 165.29 of the statutes, as created by 2023 Wisconsin Act (this act), is repealed.

SECTION 10. 165.85 (3m) (d) of the statutes is created to read:

165.85 (3m) (d) Develop a list of recommended training courses for law enforcement officers relating to preventing, recognizing, and investigating human traf-

ficking, apprehending and prosecuting human traffickers, and coordinating human trafficking response efforts with other law enforcement agencies and organizations.

SECTION 11. Effective dates. This act takes effect on the day after publication, except as follows:

(1) The creation of ss. 15.257 (3), 59.54 (29), 66.0511 (4), and 165.29 takes effect on July 1, 2025.

(2) The repeal of ss. 15.257 (3), 59.54 (29), 66.0511 (4), and 165.29 takes effect on June 30, 2029.
