

**Subject** Child maltreatment; sex trafficking

**Authors** Pinto

**Analyst** Sarah Sunderman

**Date** March 22, 2021

### Overview

This bill adds sex trafficking to various statutes relating to child protection and maltreatment reporting, makes clarifying changes, and adds a noncaregiver sex trafficking assessment to the possible local welfare agency responses to a report of child maltreatment alleging sex trafficking by someone who is not a child's caregiver.

## Summary

Section	Description
1	<b>Agency and court notice to tribes.</b> Amends § 260.761, subd. 2. Adds “noncaregiver sex trafficking assessment” to provision requiring local social services agency notification provided to an Indian child’s tribe. Specifies that notification must be made within seven days of receiving information that the child may be an Indian child; makes clarifying changes.
2	<b>Egregious harm.</b> Amends § 260C.007, subd. 14. Amends the definition of “egregious harm” by making clarifying changes and adding sex trafficking to conduct that constitutes egregious harm.
3	<b>Policy.</b> Amends § 260E.01. Adds a noncaregiver sex trafficking assessment to the list of state child protection policies and carves out report alleging sex trafficking by a noncaregiver sex trafficker from sexual abuse or substantial child endangerment investigation requirement.
4	<b>Establishment of team.</b> Amends § 260E.02, subd. 1. Adds representatives of agencies providing specialized services or responding to youth who experience or are at risk of experiencing sex trafficking or sexual exploitation, to the multidisciplinary child protection team.

<b>Section</b>	<b>Description</b>
5	<b>Noncaregiver sex trafficker.</b> Amends § 260E.03 by adding subd. 15a. Defines “noncaregiver sex trafficker.”
6	<b>Noncaregiver sex trafficking assessment.</b> Amends § 260E.03 by adding subd. 15b. Defines “noncaregiver sex trafficking assessment,” and specifies when the local welfare agency must perform such an assessment.
7	<b>Substantial child endangerment.</b> Amends § 260E.03, subd. 22. Modifies definition of “substantial child endangerment” by adding sex trafficking and making clarifying changes.
8	<b>Sexual abuse.</b> Amends § 260E.14, subd. 2. Makes clarifying change.
9	<b>Law enforcement.</b> Amends § 260E.14, subd. 5. Makes clarifying changes; adds a report alleging child sex trafficking to circumstances under which agencies must coordinate responses.
10	<b>Local welfare agency.</b> Amends § 260E.17, subd. 1. Adds noncaregiver sex trafficking assessment to the local welfare agency responses; makes clarifying changes. Requires the local welfare agency to conduct a noncaregiver sex trafficking assessment when a maltreatment report alleges sex trafficking by a noncaregiver; requires an immediate investigation if there is reason to believe a caregiver, parent, or household member engaged in child sex trafficking or other conduct warranting an investigation.
11	<b>Notice to child’s tribe.</b> Amends § 260E.18. Makes clarifying change; adds noncaregiver sex trafficking assessment to tribal notice section.
12	<b>Face-to-face contact.</b> Amends § 260E.20, subd. 2. Makes clarifying changes; exempts noncaregiver sex trafficking assessments from requirements regarding face-to-face contact, informing or interviewing the alleged offender, and the alleged offender’s opportunity to make a statement.
13	<b>Determination after family assessment or a noncaregiver sex trafficking assessment.</b> Amends § 260E.24, subd. 2. Adds noncaregiver sex trafficking assessment to subdivision regarding local welfare agency determinations after assessments.

Section	Description
14	<p><b>Notification at conclusion of family assessment or a noncaregiver sex trafficking assessment.</b></p> <p>Amends § 260E.24, subd. 7. Adds noncaregiver sex trafficking assessment to subdivision regarding notification of a parent or guardian at the conclusion of an assessment.</p>
15	<p><b>Following a family assessment or a noncaregiver sex trafficking assessment.</b></p> <p>Amends § 260E.33, subd. 1. Specifies that administrative reconsideration does not apply to a noncaregiver sex trafficking assessment.</p>
16	<p><b>Data retention.</b></p> <p>Amends § 260E.35, subd. 6. Adds noncaregiver sex trafficking assessment cases to data retention requirements.</p>



**MN HOUSE  
RESEARCH**

*Minnesota House Research Department provides nonpartisan legislative, legal, and information services to the Minnesota House of Representatives. This document can be made available in alternative formats.*

[www.house.mn/hrd](http://www.house.mn/hrd) | 651-296-6753 | 155 State Office Building | St. Paul, MN 55155