

Date of Hearing: April 15, 2021

ASSEMBLY COMMITTEE ON PUBLIC EMPLOYMENT AND RETIREMENT

Jim Cooper, Chair

AB 1031 (Villapudua) – As Amended March 11, 2021

SUBJECT: State agencies: interns and student assistants: hiring preference

SUMMARY: Requires state agencies to give preference to a qualified applicant who has been a victim of human trafficking when hiring for internships and student assistant positions; defines “human trafficking” to mean a violation of Section 236.1 of the Penal Code, and “preference” to mean priority over similarly qualified applicants for placement in the position.

EXISTING LAW:

- 1) Requires state agencies to give preference to persons up to 26 years of age who are, or have been, dependent children in foster care, homeless youth, or formerly incarcerated youth when hiring for internships and student assistant positions.
- 2) Establishes that a person who deprives or violates the personal liberty of another with the intent to obtain forced labor or services, or for effecting or maintaining other specified felonies, is guilty of the crime of human trafficking.¹
- 3) Establishes the Human Trafficking Victims Assistance Fund and requires money in the fund to be used by the Office of Emergency Services for the distribution of grants, as specified, to qualified nonprofit organizations, as defined, providing services to victims of human trafficking.²

FISCAL EFFECT: Unknown. This bill is flagged as fiscal by Legislative Counsel.

COMMENTS: According to the author, in 2019, the National Human Trafficking Hotline reported 1,507 cases of human trafficking in California, which made California one of the largest sites of human trafficking in the United States.³

The author states that, “This criminal enterprise continues to grow due to many individuals are being forced into this industry due to poverty or lack of employment opportunities. Survivors of human trafficking need assistance and support when seeking employment. AB 1031 will help survivors of human trafficking find employment opportunities by finding safe and permanent employment opportunities.

“Human trafficking is a form of modern slavery and a crime that continues to occur. Many trafficking individuals do not seek help due to fear or do not have the resources and support

¹ See Section 236.1 of the Penal Code.

² See Article 5.9 (commencing with Section 8590.6) to Chapter 7 of Division 1 of Title 2, of the Government Code.

³ <https://humantraffickinghotline.org/state/california>

needed to seek employment opportunities that may change their lives and help them from falling back into human trafficking. California is one of the largest sites of human trafficking in the United States. In order to help address and put an end to human trafficking, there needs to be assistance for survivors of human trafficking so that they will not fall back into that lifestyle and encourage others to do the same. “Assembly Bill 1031 will require state agencies to give additional preference to survivors of human trafficking when hiring for internships and student assistant programs, a step towards ending human trafficking.”

1) Suggestion for Future Consideration by the Author

In the future, the author may wish to consider including provisions that protect the identity of the victim of human trafficking from disclosure after the individual has applied for the specified position or positions with the state, and from future disclosure by the employer and its employees who have access to personnel files, as the victim may not want this information to be disclosed beyond the point of application.

2) Comments by Supporters

The Child Abuse Prevention Council states that, “According to the State of California Department of Justice, human trafficking is among the world's fastest growing criminal enterprises, estimated to be a \$150 billion-a-year global industry, with many individuals being forced into this industry due to poverty or lack of employment opportunities. Requiring state agencies to give additional preference to survivors of human trafficking when hiring for internships and student assistance positions, will help survivors of human trafficking from falling back into that lifestyle.

“[This bill] will require state agencies to give additional preference to survivors of human trafficking when hiring for internships and student assistant programs,” and “... will help survivors of human trafficking.”

3) Prior or Related Legislation

Chapter 25, Statutes of 2015 (Senate Bill 84, Committee on Budget and Fiscal Review) establishes the Human Trafficking Victims Assistance Fund in the State Treasury which requires money in the fund to be used by the Office of Emergency Services for the distribution of grants, as specified, to qualified nonprofit organizations, as defined, providing services to victims of human trafficking and for reimbursement of costs incurred by the office in distributing these grants.

REGISTERED SUPPORT / OPPOSITION:

Support

Children's Home of Stockton
Child Abuse Prevention Council

San Joaquin County Family Justice Center

Opposition

None on file.

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