

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 548
Judiciary Committee Substitute Adopted 6/13/17

Short Title: Strengthen Human Trafficking Laws/Studies.

(Public)

Sponsors:

Referred to:

April 3, 2017

1 A BILL TO BE ENTITLED
2 AN ACT STRENGTHENING HUMAN TRAFFICKING LAWS, AUTHORIZING THE
3 NORTH CAROLINA BOARD OF MASSAGE AND BODYWORK THERAPY TO
4 REGULATE MASSAGE AND BODYWORK THERAPY ESTABLISHMENTS, AND
5 AUTHORIZING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND
6 THE STATE BOARD OF EDUCATION TO STUDY WAYS TO PROTECT
7 SURVIVORS OF HUMAN TRAFFICKING AND TO EDUCATE TEACHERS AND
8 SUPPORT PERSONNEL ABOUT WAYS TO IDENTIFY VICTIMS OF HUMAN
9 TRAFFICKING.

10 The General Assembly of North Carolina enacts:

11 SECTION 1. G.S. 14-43.11 reads as rewritten:

12 "§ 14-43.11. Human trafficking.

13 ...

14 (b) A person who violates this section is guilty of a Class ~~F~~C felony if the victim of the
15 offense is an adult. A person who violates this section is guilty of a Class ~~C~~B1 felony if the
16 victim of the offense is a minor.

17"

18 SECTION 1.1. G.S. 143B-919(c) reads as rewritten:

19 "§ 143B-919. Investigations of lynchings, election frauds, etc.; services subject to call of
20 Governor; witness fees and mileage for employees.

21 ...

22 (c) The State Bureau of Investigation is further authorized, upon request of the
23 Governor or the Attorney General, to investigate the commission or attempted commission of
24 the crimes defined in the following statutes:

25 (1) ~~All sections of~~ Article 4A of Chapter 14 of the General Statutes;

26 (1a) G.S. 14-43.11;

27 (2) G.S. 14-277.1;

28 (3) G.S. 14-277.2;

29 (4) G.S. 14-283;

30 (5) G.S. 14-284;

31 (6) G.S. 14-284.1;

32 (7) G.S. 14-288.2;

33 (8) G.S. 14-288.7;

34 (9) G.S. 14-288.8;

35 (10) G.S. 14-288.20;

36 (10a) G.S. 14-288.21;



- 1 (10b) G.S. 14-288.22;
2 (10c) G.S. 14-288.23;
3 (10d) G.S. 14-288.24;
4 (11) G.S. 14-284.2;
5 (12) G.S. 14-399(e);
6 (12a) G.S. 15A-287 and G.S. 15A-288;
7 (13) G.S. 130A-26.1;
8 (14) G.S. 143-215.6B;
9 (15) G.S. 143-215.88B; and
10 (16) G.S. 143-215.114B."

11 **SECTION 2.(a)** G.S. 14-202.10(2) reads as rewritten:

12 "(2) "Adult establishment" means an adult bookstore, adult motion picture
13 theatre, adult mini motion picture theatre, or adult live entertainment
14 ~~business, or massage-business~~ as defined in this section."

15 **SECTION 2.(b)** G.S. 14-202.10(7) and G.S. 14-202.10(8) are repealed.

16 **SECTION 2.(c)** G.S. 14-202.11 is amended by adding a new subsection to read as
17 follows:

18 "(a1) No person shall permit the practice of massage and bodywork therapy, as defined in
19 Article 36 of Chapter 90 of the General Statutes, in an adult establishment."

20 **SECTION 2.(d)** Article 27 of Chapter 14 of the General Statutes is amended by
21 adding a new section to read as follows:

22 "**§ 14-202.13. Human trafficking public awareness sign.**

23 An adult establishment, as defined in G.S. 14-202.10, shall prominently display on the
24 premises in a place that is clearly conspicuous and visible to employees and the public a public
25 awareness sign created and provided by the North Carolina Human Trafficking Commission
26 that contains the National Human Trafficking Resource hotline information."

27 **SECTION 3.** G.S. 18B-1003 reads as rewritten:

28 "**§ 18B-1003. Responsibilities of permittee.**

29

30 (c1) Posting Human Trafficking Hotline. – All permittees shall prominently display on
31 the premises in a place that is clearly conspicuous and visible to employees and the public a
32 public awareness sign created and provided by the North Carolina Human Trafficking
33 Commission that contains the National Human Trafficking Resource hotline information.

34 "

35 **SECTION 4.** Article 1 of Chapter 19 of the General Statutes is amended by adding
36 a new section to read as follows:

37 "**§ 19-8.4. Human trafficking public awareness sign.**

38 The owner, operator, or agent in charge of a business described in G.S. 19-1.2 shall
39 prominently display on the premises in a place that is clearly conspicuous and visible to
40 employees and the public a public awareness sign created and provided by the North Carolina
41 Human Trafficking Commission that contains the National Human Trafficking Resource
42 hotline information."

43 **SECTION 5.(a)** G.S. 90-621 reads as rewritten:

44 "**§ 90-621. Declaration of purpose.**

45 The purpose of this Article is to ensure the protection of the health, safety, and welfare of
46 the citizens of this State receiving massage and bodywork therapy services. This purpose is
47 achieved ~~by establishing~~by:

- 48 (1) Establishing education and testing standards that ensure competency in the
49 practice of massage and bodywork therapy. Mandatory licensure of those
50 engaged in the practice of massage and bodywork therapy assures the public

1 that each individual has satisfactorily met the standards of the profession and
2 continues to meet both the ethical and competency goals of the profession.

- 3 (2) Establishing standards for establishments that provide massage and
4 bodywork therapy services. Mandatory licensure of those who own or
5 operate massage and bodywork therapy establishments assures the public
6 that these establishments provide legal, professional services and employ
7 licensed massage and bodywork therapists who have satisfactorily met the
8 standards of the profession and continue to meet both the ethical and
9 competency goals of the profession."

10 **SECTION 5.(b)** G.S. 90-622 reads as rewritten:

11 **"§ 90-622. Definitions.**

12 The following definitions apply in this Article:

- 13 (1) Accreditation. – Status granted to a postsecondary institution of higher
14 learning that has met standards set by an accrediting agency recognized by
15 the Secretary of the United States Department of Education. The
16 accreditation for massage and bodywork schools may be institutional or
17 programmatic in nature.
- 18 (1a) Board. – The North Carolina Board of Massage and Bodywork Therapy.
- 19 (2) Board-approved school. – Any massage and bodywork therapy school or
20 training program in this State or another state that is not otherwise exempt
21 from Board approval, that has met the standards set forth in this Article, and
22 been granted approval by the Board.
- 23 (2a) Business name. – The name under which the owner applies for the
24 establishment license to provide massage therapy, if different from the name
25 of the owner.
- 26 ~~(2a)~~(2b) Criminal history record check. – A report resulting from a request made
27 by the Board to the North Carolina Department of Public Safety for a history
28 of conviction of a crime, whether a misdemeanor or felony, that bears on an
29 applicant's fitness for licensure to practice massage and bodywork therapy.
- 30 (3) Massage and bodywork therapy. – Systems of activity applied to the soft
31 tissues of the human body for therapeutic, educational, or relaxation
32 purposes. The application may include:
- 33 a. Pressure, friction, stroking, rocking, kneading, percussion, or passive
34 or active stretching within the normal anatomical range of
35 movement.
- 36 b. Complementary methods, including the external application of water,
37 heat, cold, lubricants, and other topical preparations.
- 38 c. The use of mechanical devices that mimic or enhance actions that
39 may possibly be done by the hands.
- 40 (3a) Massage and bodywork therapy establishment. – Any duly licensed site or
41 premises in which massage and bodywork therapy is practiced. This term
42 does not include any of the following:
- 43 a. On-site massage performed at the location of the customer.
44 b. Stand-alone devices, such as chairs, that are operated by the
45 customer.
- 46 c. Establishments located within the confines of a hospital, nursing
47 home, or other similar establishment or facility licensed or otherwise
48 regulated by the Department of Health and Human Services.
- 49 d. Massage and bodywork therapy provided by a sole practitioner.
50 e. A student clinic operated by a Board-approved school or a massage
51 and bodywork therapy program offered by community colleges in

North Carolina that are accredited by the Southern Association of Colleges and Schools or massage and bodywork therapy programs offered by a degree or diploma granting college or university accredited by any accrediting agency that is recognized by the United States Department of Education and licensed by the North Carolina Community College System or The University of North Carolina Board of Governors.

f. Chiropractic physician offices that provide massage and bodywork therapy only by massage and bodywork therapists currently licensed in North Carolina.

~~(3a)~~(3b) Massage and bodywork therapy school. – Any educational institution that conducts a training program or curriculum for a tuition charge, which is intended to teach adults the knowledge, skills, and abilities necessary for the safe, effective, and ethical practice of massage and bodywork therapy.

(4) Massage and bodywork therapist. – A person licensed under this Article.

(4a) Owner. – The person, sole proprietor, partnership, limited partnership, or corporation that operates the massage and bodywork therapy establishment.

(5) Practice of massage and bodywork therapy. – The application of massage and bodywork therapy to any person for a fee or other consideration.

(6) Sole practitioner. – A single licensed massage and bodywork therapist offering massage or bodywork therapy services from a space the licensed massage and bodywork therapist controls and from which only the licensed massage and bodywork therapist offers and provides the services."

SECTION 5.(c) The catch line of G.S. 90-623 reads as rewritten:

"§ 90-623. License to practice required."

SECTION 5.(d) The catch line of G.S. 90-624 reads as rewritten:

"§ 90-624. ~~Exemptions.~~Activities not requiring a license to practice."

SECTION 5.(e) Subdivision (9) of G.S. 90-626 reads as rewritten:

"(9) Adopt, amend, or repeal any ~~rules of the following rules:~~

a. Rules necessary to carry out the purposes of this Article and Article.

b. Rules necessary to carry out the duties and responsibilities of the Board, including ~~rules the following:~~

1. Rules related to the approval of massage and bodywork therapy schools, continuing education providers, examinations for licensure, and the practice of advanced techniques or specialties, and ~~massage and bodywork therapy establishments.~~ specialties. Any rules adopted or amended shall take into account the educational standards of national bodywork and massage therapy associations and professional organizations.

2. Rules related to massage and bodywork therapy establishments."

SECTION 5.(f) G.S. 90-628(b) reads as rewritten:

"(b) The Board may impose the following fees up to the amounts listed ~~below:~~below for a license to practice massage and bodywork therapy:

- (1) Application for license\$20.00
- (2) Initial license fee150.00
- (3) License renewal100.00
- (4) Late renewal penalty75.00
- (5) Repealed by Session Laws 2008-224, s. 8, effective August 17, 2008.
- (6) Duplicate license25.00

(7) Repealed by Session Laws 2008-224, s. 8, effective August 17, 2008."

SECTION 5.(g) G.S. 90-629 reads as rewritten:

"§ 90-629. Requirements for licensure. licensure to practice.

Upon application to the Board and the payment of the required fees, an applicant may be licensed as a massage and bodywork therapist if the applicant meets all of the following qualifications:

(1) Has obtained a high school diploma or equivalent.

(2) Is 18 years of age or older.

(3) Is of good moral character as determined by the Board.

(4) Has successfully completed a training program consisting of a minimum of 500 in-class hours of supervised instruction at a Board-approved school.

(5) Has passed a competency assessment examination that meets generally accepted psychometric principles and standards and is approved by the Board.

(6) Has submitted fingerprint cards in a form acceptable to the Board at the time the license application is filed and consented to a criminal history record check by the North Carolina Department of Public Safety.

(7) Demonstrates satisfactory proof of proficiency in the English language."

SECTION 5.(h) G.S. 90-629.1 reads as rewritten:

"§ 90-629.1. Criminal history record checks of applicants for licensure. licensure to practice and for ownership or operation of an establishment.

(a) All applicants for licensure to practice massage and bodywork therapy or to operate a massage and bodywork therapy establishment shall consent to a criminal history record check. Refusal to consent to a criminal history record check may constitute grounds for the Board to deny licensure to an applicant. The Board shall ensure that the State and national criminal history of an applicant is checked. The Board shall be responsible for providing to the North Carolina Department of Public Safety the fingerprints of the applicant to be checked, a form signed by the applicant consenting to the criminal record check and the use of fingerprints and other identifying information required by the State or National Repositories, and any additional information required by the Department of Public Safety. The Board shall keep all information obtained pursuant to this section confidential.

...."

SECTION 5.(i) The catch line of G.S. 90-630.1 reads as rewritten:

"§ 90-630.1. Licensure to practice by endorsement."

SECTION 5.(j) G.S. 90-632 is recodified as G.S. 90-630.5 and reads as rewritten:

"§ 90-630.5. License renewal and Renewal of license to practice and license to operate massage and bodywork therapy establishment; continuing education.

(a) The license to practice and the license to operate a massage and bodywork therapy establishment under this Article shall be renewed every two years.

(b) The continuing education requirement for the renewal of an initial license renewal to practice is as follows:

(1) If the licensure period is two years or more, each licensee shall submit to the Board evidence of the successful completion of at least 24 hours of study, as approved by the Board, since the initial licensure application date in the practice of massage and bodywork therapy.

(2) If the licensure period is less than two years, but more than one year, each licensee shall submit to the Board evidence of the successful completion of at least 12 hours of study, as approved by the Board, since the initial licensure application date in the practice of massage and bodywork therapy.

(c) For subsequent renewals of a license renewals to practice, each licensee shall submit to the Board evidence of the successful completion of at least 24 hours of study, as approved by

1 the Board, since the previous licensure renewal submission date in the practice of massage and
2 bodywork therapy."

3 **SECTION 5.(k)** Article 36 of Chapter 90 of the General Statutes is amended by
4 adding new sections to read:

5 **"§ 90-632.10. Massage and bodywork therapy establishment license required.**

6 The Board shall license massage and bodywork therapy establishments in this State for the
7 purpose of protecting the health, safety, and welfare of the public. Unless otherwise exempt
8 from the Board licensure process, no individual, association, partnership, corporation, or other
9 entity shall open, operate, or advertise a massage and bodywork therapy establishment in this
10 State unless it has first been licensed by the Board. The Board shall maintain a list of licensed
11 massage and bodywork therapy establishments operating pursuant to this Article.

12 **"§ 90-632.11. Requirements for massage and bodywork therapy establishment licensure.**

13 (a) Any person who wishes to operate a massage and bodywork therapy establishment
14 shall obtain a license from the Board by submitting a massage and bodywork therapy
15 establishment licensure application accompanied by all of the following:

- 16 (1) The applicable fee set forth in G.S. 90-632.14.
- 17 (2) Proof of property damage and bodily injury liability insurance coverage in
18 the name of the owner or, if the establishment is operated under a business
19 name, in the name of both the owner and the business.
- 20 (3) Prior licensure and disciplinary history, including verifications from all
21 North Carolina licensing boards from which the owner holds or has held any
22 health related professional license.
- 23 (4) Fingerprint cards submitted in accordance with G.S. 90-629.1 at the time the
24 license application is filed and consented to a criminal history record check
25 by the Department of Public Safety.
- 26 (5) Ownership information, including at least all of the following:
 - 27 a. Type of ownership.
 - 28 b. Name of owner.
 - 29 c. Name of authorized representative.
 - 30 d. Address of establishment.
 - 31 e. Social Security number or federal tax identification number.
 - 32 f. E-mail address.
 - 33 g. Current phone number.
 - 34 h. Hours of operation.
- 35 (6) Proof of good moral character as determined by the Board.
- 36 (7) Signature of all owners or authorized corporate representatives or both.
- 37 (8) A successfully completed self-evaluation inspection report demonstrating
38 compliance with this section and any rules adopted pursuant to
39 G.S. 90-632.13.
- 40 (9) Proof that the establishment employs, hires, or plans to employ or hire one
41 or more massage and bodywork therapists who hold a current license from
42 the Board.

43 (b) The application for licensure shall be submitted in the name of the owner or owners
44 of the establishment. If the owner is a corporation, the application shall be submitted in the
45 name of the corporation and shall be signed by a corporate representative.

46 **"§ 90-632.12. Operation of a massage and bodywork therapy establishment under a name**
47 **different than the owner; advertisement.**

48 (a) An owner may operate a licensed massage and bodywork therapy establishment
49 under a name other than the name of the owner, provided such name is submitted to the Board
50 on the application for licensure.

1 (b) Any advertisement by the massage and bodywork therapy establishment shall
2 include the establishment's business name and shall comply with 21 NCAC 30 .0404.

3 **"§ 90-632.13. Rules for massage and bodywork therapy establishment license.**

4 The Board shall establish rules for the licensure of massage and bodywork therapy
5 establishments. These rules shall include at least all of the following:

- 6 (1) Requirements for adequate, safe, and sanitary facilities.
- 7 (2) Requirements for compliance with local building code requirements, State
8 fire safety codes, and State health inspection codes necessary to ensure the
9 safe and effective practice of massage and bodywork therapy.
- 10 (3) Requirements for retention of client and ownership records.
- 11 (4) A description of the process used by the Board to approve massage and
12 bodywork therapy establishment licenses.
- 13 (5) Requirements for initial and periodic inspections of massage and bodywork
14 therapy establishments.
- 15 (6) Requirements for transfer of a massage and bodywork therapy establishment
16 license.
- 17 (7) A requirement that each massage and bodywork therapy establishment
18 prominently display on the premises in a place that is clearly conspicuous
19 and visible to employees and the public a public awareness sign created and
20 provided by the North Carolina Human Trafficking Commission that
21 contains the National Human Trafficking Resource hotline information.

22 **"§ 90-632.14. Fees for massage and bodywork therapy establishment license.**

23 (a) The Board may impose the following fees up to the amounts listed below for
24 massage and bodywork therapy establishment licensure:

25 (1)	<u>Application for license</u>	<u>\$20.00</u>
26 (2)	<u>Initial license fee</u>	<u>150.00</u>
27 (3)	<u>License renewal</u>	<u>100.00</u>
28 (4)	<u>Late renewal penalty</u>	<u>75.00</u>
29 (5)	<u>Duplicate license</u>	<u>25.00</u>
30 (6)	<u>Inspection of establishment</u>	<u>150.00</u>

31 (b) All fees listed in subsection (a) of this section shall be paid in the form of a cashier's
32 check, certified check, or money order made payable to the North Carolina Board of Massage
33 and Bodywork Therapy and shall be nonrefundable.

34 **"§ 90-632.15. Grounds for suspension, revocation, or refusal of massage and bodywork**
35 **therapy license; notice and hearing; judicial review.**

36 (a) The Board may deny, suspend, revoke, discipline, or refuse to approve a massage
37 and bodywork therapy establishment for any of the following reasons:

- 38 (1) The employment of fraud, deceit, or misrepresentation in obtaining or
39 attempting to obtain a massage and bodywork therapy establishment license.
- 40 (2) Engaging in any act or practice in violation of any of the provisions of this
41 Article or of any of the rules adopted by the Board or aiding, abetting, or
42 assisting any other person in the violation of the provisions of this Article or
43 rules adopted by the Board.
- 44 (3) Failure to require that its employees or independent contractors be currently
45 licensed by the Board.
- 46 (4) Operating a massage and bodywork therapy establishment without a license
47 from this Board.
- 48 (5) Engaging in conduct that could result in harm or injury to the public.
- 49 (6) The employment of fraud, deceit, or misrepresentation when communicating
50 with the general public, health care professionals, or other business
51 professionals.

- 1 (7) Falsely holding out a massage and bodywork therapy establishment as
2 licensed by this Board.
- 3 (8) Failure to allow authorized representatives of the Board to conduct
4 inspections of the massage and bodywork therapy establishment or refusing
5 to make available to the Board, following written notice to the massage and
6 bodywork therapy establishment, the requested information pertaining to the
7 requirements for approval set forth in this Article.
- 8 (9) Failure to notify the Board in writing within 30 days of any notification it
9 receives from any state, local, or federal court or agency of a show cause
10 action, probation action, or denial of licensure or approval.
- 11 (10) The applicant for or holder of a massage and bodywork therapy license has
12 pleaded guilty, entered a plea of nolo contendere, or has been found guilty of
13 a crime involving moral turpitude by a judge or jury in any state or federal
14 court.

15 (b) A refusal to issue, refusal to renew, or suspension or revocation of a massage and
16 bodywork therapy establishment license under this section shall be made in accordance with
17 Chapter 150B of the General Statutes.

18 **"§ 90-632.16. Unlicensed massage and bodywork therapy prohibited at massage and**
19 **bodywork therapy establishments.**

20 A massage and bodywork therapy establishment shall not employ or contract with any
21 person in this State to provide massage and bodywork therapy unless that person holds a
22 current license to practice massage and bodywork therapy issued pursuant to this Article.

23 **"§ 90-632.17. Sexual activity prohibited.**

24 (a) Sexual activity by any person or persons in any massage and bodywork therapy
25 establishment is unlawful and prohibited.

26 (b) No owner shall engage in or permit any person or persons to engage in sexual
27 activity in the owner's massage and bodywork therapy establishment. No owner shall engage in
28 or permit any person or persons to use the owner's massage and bodywork therapy
29 establishment to make arrangements to engage in sexual activity in any other place.

30 **"§ 90-632.18. Enforcement; injunctive relief against massage and bodywork therapy**
31 **establishments.**

32 The Board may utilize the enforcement and injunctive relief set forth in G.S. 90-634 and
33 assess civil penalties and disciplinary costs as provided in G.S. 90-634.1 to address violations
34 of G.S. 90-632.10 through G.S. 90-632.17, any rules adopted pursuant to G.S. 90-632.13, or
35 any other laws or rules applicable to the operation of a massage and bodywork therapy
36 establishment."

37 **SECTION 5.(I)** G.S. 90-634 reads as rewritten:

38 **"§ 90-634. Enforcement; injunctive relief.**

39 (a) It is unlawful for a person not licensed or exempted under this Article to engage in
40 any of the following:

- 41 (1) Practice of massage and bodywork therapy.
- 42 (2) Advertise, represent, or hold out himself or herself to others to be a massage
43 and bodywork therapist.
- 44 (3) Use any title descriptive of any branch of massage and bodywork therapy, as
45 provided in G.S. 90-623, to describe his or her practice.

46 (b) A person who violates subsection (a) of this section shall be guilty of a Class 1
47 misdemeanor.

48 (b1) Unless exempt from the approval process, it is unlawful for an individual,
49 association, partnership, corporation, or other entity to open, operate, or advertise a massage
50 and bodywork therapy school without first having obtained the approval required by
51 G.S. 90-631.1.

1 (b2) An individual, association, partnership, corporation, or other entity that violates
2 subsection (b1) of this section shall be guilty of a Class 3 misdemeanor.

3 (b3) It is unlawful for a person, individual, association, partnership, corporation, or other
4 entity to do any of the following:

5 (1) Employ, hire, engage, or otherwise contract with a person who is not
6 licensed or exempted under this Article to provide massage and bodywork
7 therapy services to the public.

8 (2) Aid and abet any person not licensed or exempted under this Article in the
9 practice of massage and bodywork therapy.

10 (3) Advertise, represent, or hold out any person not licensed or exempted under
11 this Article to others as a massage and bodywork therapist.

12 (4) Describe the practice of any person not licensed or exempted under this
13 Article or use any title descriptive of any branch of massage and bodywork
14 therapy to reference any such person in violation of G.S. 90-623.

15 (b4) A person who violates subsection (b3) of this section shall be guilty of a Class 1
16 misdemeanor.

17 (c) The Board may make application to superior court for an order enjoining a violation
18 of this Article. Upon a showing by the Board that a person, association, partnership,
19 corporation, or other entity has violated or is about to violate this Article, the court may grant
20 an injunction, restraining order, or take other appropriate action."

21 **SECTION 6.** Article 5 of Chapter 131E of the General Statutes is amended by
22 adding a new section to read as follows:

23 **"§ 131E-84.1. Human trafficking public awareness sign.**

24 Each hospital licensed under this Article shall prominently display in its emergency room
25 or emergency department in a place that is clearly conspicuous and visible to employees and
26 the public a public awareness sign created and provided by the North Carolina Human
27 Trafficking Commission that contains the National Human Trafficking Resource hotline
28 information."

29 **SECTION 7.** G.S. 143B-348 reads as rewritten:

30 **"§ 143B-348. Department of Transportation – head; rules, regulations, etc., of Board of**
31 **Transportation.**

32 (a) The Secretary of Transportation shall be the head of the Department of
33 Transportation. He shall carry out the day-to-day operations of the Department and shall be
34 responsible for carrying out the policies, programs, priorities, and projects approved by the
35 Board of Transportation. He shall be responsible for all other transportation matters assigned to
36 the Department of Transportation, except those reserved to the Board of Transportation by
37 statute. Except as otherwise provided for by statute, the Secretary shall have all the powers and
38 duties as provided for in Article 1 of Chapter 143B including the responsibility for all
39 management functions for the Department of Transportation. The Secretary shall be vested
40 with authority to adopt design criteria, construction specifications, and standards as required for
41 the Department of Transportation to construct and maintain highways, bridges, and ferries. The
42 Secretary or the Secretary's designee shall be vested with authority to promulgate rules and
43 regulations concerning all transportation functions assigned to the Department.

44 (b) All rules, regulations, ordinances, specifications, standards, and criteria adopted by
45 the Board of Transportation and in effect on July 1, 1977, shall continue in effect until changed
46 by the Board of Transportation or the Secretary of Transportation. The Secretary shall have
47 complete authority to modify any of these matters existing on July 1, 1977, except as
48 specifically restricted by the Board. Whenever any such criteria, rule, regulation, ordinance,
49 specification, or standards are continued in effect under this section and the words "Board of
50 Transportation" are used, the words shall mean the "Department of Transportation" unless the
51 context makes such meaning inapplicable. All actions pending in court by or against the Board

1 of Transportation may continue to be prosecuted in that name without the necessity of formally
2 amending the name to the Department of Transportation.

3 (c) The Secretary of Transportation shall require that every transportation station, rest
4 area, and welcome center in the State prominently display in a place that is clearly conspicuous
5 and visible to employees and the public a public awareness sign created and provided by the
6 North Carolina Human Trafficking Commission that contains the National Human Trafficking
7 Resource hotline information."

8 **SECTION 8.** Article 10 of Chapter 143B of the General Statutes is amended by
9 adding a new section to read as follows:

10 "**§ 143B-431.3. Human trafficking public awareness sign.**

11 The Secretary of the Department of Commerce shall require that every Joblink or other
12 center under its authority that offers employment or training services to the public prominently
13 display in a place that is clearly conspicuous and visible to employees and the public a public
14 awareness sign created and provided by the North Carolina Human Trafficking Commission
15 that contains the National Human Trafficking Resource hotline information."

16 **SECTION 9.** In consultation with the North Carolina Human Trafficking
17 Commission, the Department of Health and Human Services shall study the feasibility of
18 training health care providers, emergency medical providers, and relevant first responders in
19 human trafficking identification and response and preventative tools and methods. The
20 Department shall report its findings and recommendations to the Joint Legislative Oversight
21 Committee on Justice and Public Safety, the Joint Legislative Oversight Committee on Health
22 and Human Services, the Human Trafficking Commission, and the Governor no later than
23 February 1, 2018.

24 **SECTION 10.** Section 1 and Section 5(l) of this act become effective December 1,
25 2017, and apply to offenses committed on or after that date. Sections 2, 3, 4, 5(a) through 5(k),
26 6, 7, and 8 of this act become effective January 1, 2018. The remainder of this act is effective
27 when it becomes law.