

2021 General Assembly Session Summary of Bills Supported by the Virginia Coalition Against Human Trafficking (VCAHT)



HB 2133 Establishes a process for victims of sex trafficking to file a petition of vacatur and have certain convictions for prostitution and keeping, residing in, or frequenting a bawdy place vacated and the police and court records expunged for such convictions. Requires the court to grant the writ and vacate such convictions if it finds the individual was convicted of such offense and committed the offense as a direct result of being a sex trafficking victim. *Effective 7/1/2021.*

HB 2234 Provides an affirmative defense to prosecution for prostitution and keeping, residing in, or frequenting a bawdy place if, at the time of the offense a person was a victim of sex trafficking. *Effective 7/1/2021.*

HB 1868 Permanently disqualifies persons convicted of a felony involving an act or practice of severe forms of trafficking in persons from holding a commercial driver's license if the offense occurred while driving a commercial vehicle. *Effective 7/1/2021.*

HB 1944 Requires applicants for operator's licenses to have established a policy requiring all license and permit holders who interact directly with the public in the casino gaming establishment to complete a training course acceptable to the Virginia Lottery Department in how to recognize and report suspected human trafficking in order to be eligible for the issuance of an operator's license. *Effective 7/1/21.*

HB 2169 Reorganizes the statute penalizing prostitution into two distinct sections, penalties remain the same. *Effective 7/1/2021.*

HB 2113 Establishes a process for the automatic sealing of police and court records for certain convictions, deferred dispositions, and acquittals and for offenses that have been nolle prossed or otherwise dismissed. Allows a person to petition for the sealing of police and court records relating to certain convictions. The bill has staggered delayed effective dates in order to develop systems for implementing the provisions of the bill. As introduced, this bill was a recommendation of the Virginia State Crime Commission and is identical to SB 1339. *Primary eff date 7/1/2021.*

SB 1339 Establishes a process for the automatic sealing of police and court records for certain convictions, deferred dispositions, and acquittals and for offenses that have been nolle prossed or otherwise dismissed. Allows a person to petition for the sealing of police and court records relating to certain convictions. This bill has staggered delayed effective dates to enable the development of systems for implementing the provisions of the bill. This bill is identical to HB 2113. *Signed and chaptered primary eff date 7/1/2021.*

SB 1468 Establishes a process for a state or local law-enforcement agency, an attorney for the Commonwealth, the Attorney General, or any other entity employing law-enforcement officers to complete a certification or declaration required by federal immigration law to certify a person is a victim of qualifying criminal activity. *Effective 7/1/2021.*

Did Not Pass This Session

HB 1870 Victims of human trafficking; eligibility for in-state tuition *Left in H. Education.*

HB 1975 Higher educational institutions, public; tuition and mandatory fee waivers, survivors of sex crimes including Sex Trafficking. *Left in H Approps.*