

2025 General Assembly Session Summary of Bills Supported by the Virginia Coalition Against Human Trafficking (VCAHT)



HB 1586 Provides that any person receiving an award for wrongful incarceration for a felony conviction on and after January 1, 2023, shall receive, in addition to the compensation for the wrongful incarceration, not less than \$30,000 for each year or fraction thereof (i) of imprisonment after being sentenced to death or (ii) that such person was required to register with the Sex Offender and Crimes Against Minors Registry. Current law allows such additional compensation only for persons receiving an award for wrongful incarceration for a felony conviction on and after January 1, 2024.

Supported by VCAHT: Addresses the wrongful criminalization of trafficking survivors, many of whom were forced to commit sex offenses and unjustly placed on the sex offender registry, ensuring they receive compensation for the harm caused and aiding in their efforts to overcome the lasting consequences of their exploitation.

HB 1734 Renames the Sex Trafficking Response Coordinator as the Human Trafficking Response Coordinator within the Department of Criminal Justice Services. The bill also changes related references from "sex trafficking" to "human trafficking."

Supported by VCAHT: Provides a more accurate title for this position to better reflect the breadth of human trafficking definitions in the Commonwealth to include both labor and sex trafficking.

HB 1759 / SB 877 Provides that the Department of Corrections shall work with the Department of Workforce Development and Advancement to provide post-release job search assistance services to assist individuals in finding employment upon release from incarceration and refer such individuals to case management services where eligible.

Supported by VCAHT: Criminalized survivors need resources such as job placement services after their release. This bill would help prevent recidivism or further exploitation by providing legitimate income for formerly incarcerated persons.

HB 1998 Makes it a Class 5 felony for any person to maliciously threaten eviction, loss of housing, property damage, or any financial loss with the intent to cause the complaining witness to engage in sexual intercourse, cunnilingus, fellatio, anilingus, anal intercourse, inanimate or animate object sexual penetration, or an act of sexual abuse and thereby engage in sexual intercourse, cunnilingus, fellatio, anilingus, anal intercourse, inanimate or animate object sexual penetration, or an act of sexual abuse. The bill also creates an

unclassified felony punishable by not less than one nor more than 20 years and a fine of not more than \$100,000 for any adult who violates the provisions of the bill with a person younger than 18 years of age.

Supported by VCAHT: Directly targets a form of exploitation commonly used to manipulate and coerce survivors of trafficking into sexual acts, providing stronger legal protections against sexual extortion and offering enhanced penalties for offenders who exploit minors.

HB 2033 Directs the Department of Criminal Justice Services to develop an online course for the Virginia Alcoholic Beverage Control Authority to offer to retail licensees and their employees to train such licensees and employees to recognize and report instances of suspected human trafficking. The bill also requires the certified alcohol server or seller training that a retail licensee may offer its employees that allows a reduction in the length of any suspension or the amount of any civil penalty imposed for a license violation to include a course developed or approved by the Department of Criminal Justice Services on recognizing and reporting instances of suspected human trafficking.

Supported by VCAHT: Human trafficking survivors and their traffickers often have substance dependency issues, therefore these types of establishments are high-risk environments. This bill would provide frontline retail workers who interact with customers buying liquor with the tools to identify common flags for human trafficking cases.

HB 2393 / SB 1460 Amends the procedure that allows victims of human trafficking, defined in the bill, to file a petition of vacatur in circuit court to have certain convictions vacated and the police and court records expunged for such convictions.

Supported by VCAHT: Expands access for human trafficking survivors to vacate and expunge unmerited records resulting from their forced criminality.

HB 2401 / SB 998 Child labor; child engaged in the work of content creation; trust account. Requires that a child under the age of 16 who meets certain criteria specified in the bill to be considered a child engaged in the work of content creation be compensated by the content creator, defined in the bill, whose video content includes such child's likeness, name, or photograph. The bill requires the content creator to set aside gross earnings on the video content that includes the likeness, name, or photograph of the child in a trust account to be preserved for the benefit of the child upon attaining 81 years of age or having been declared emancipated. The bill also requires the content creator to maintain certain records specified in the bill and provide them to the child and the holder of the trust account on an ongoing basis. The bill also allowed the child, or his parent or guardian on behalf of such child, to commence a civil action if the content creator fails to maintain the required records and to enforce the provisions of law related to the trust account. This bill incorporated SB 840 and is identical to HB 2401.

Supported by VCAHT: Provides for safeguarding vulnerable children from exploitation in the content creation industry, ensuring they are fairly compensated and that their earnings are preserved for their future well-being.

SB 884 Provides that a tenant who is a victim of family abuse, sexual abuse or other criminal sexual assault, stalking, or human trafficking may terminate such tenant's obligations under an active and current rental agreement if the tenant has obtained an emergency protective order or preliminary protective order or a magistrate, law-enforcement agency, grand jury, special grand jury, or court has issued a warrant, summons, information, or indictment charging any such crime. Under current law, there must be a permanent protective order or a conviction before the tenant may terminate such obligations under a rental agreement. This bill is a recommendation of the Virginia Housing Commission.

Supported by VCAHT: Currently, domestic violence survivors under a protection order are provided certain protections under the VRLTA (Virginia Residential Landlord and Tenant Act). Extending these protections to survivors of Human Trafficking and related crimes, like sexual assault and stalking, would reduce the likelihood of survivors becoming homeless and further trapped “in the life” due to dire economic circumstances.

SB 913 Prohibits public bodies from awarding contracts to acquire imported goods from a business whose products are on the list of products produced by forced or indentured child labor maintained by the U.S. Department of Labor Bureau of International Labor Affairs without a third-party certification provided to the Commonwealth. The bill directs the Department of General Services to promulgate regulations regarding such third-party certification by October 1, 2025. This bill is a recommendation of the Manufacturing Development Commission.

Supported by VCAHT: This would incentivize a reduction in demand for goods produced through child labor trafficking and exploitation.

Not Specifically Trafficking, but Potentially Beneficial for Trafficking Survivors

HB 1728 Allows the court to order that the testimony of a child be taken by two-way closed-circuit television if it finds that the child is unavailable to testify in open court in the presence of the defendant, the jury, the judge, and the public if the court finds, by clear and convincing evidence, based upon expert opinion testimony, that the child will suffer at least moderate emotional trauma as a result of testifying in the defendant's presence and not in the courtroom generally, such that it prevents the child from reasonably communicating to the jury or renders the child unable to testify, or will cause the child to suffer long-lasting adverse effects.

Supported by VCAHT: Encourages a trauma-responsive solution that encourages child survivors to testify without the additional stress and revictimization that can occur when in the presence of the accused.

HB 1731 Changes instances of "sexual assault survivor" and its variations to "sexual assault patient." The bill requires healthcare facilities to provide information on local or statewide sexual and domestic violence advocacy services to adult and pediatric patients. The bill removes language requiring hospitals to enter into a memorandum of understanding with rape crisis centers, removes language allowing sexual assault patients to be transferred to clinics, and repeals the statute establishing the Task Force on Services for Survivors of Sexual Assault. The bill directs the Director of the Department of Criminal Justice Services to convene a work group to address sustainable funding for sexual assault medical forensic examinations and services. The bill requires the workgroup to submit a report with recommendations to the Chairs of the House Committee on Health and Human Services, the House Committee on Appropriations, the Senate Committee on Education and Health, and the Senate Committee on Finance and Appropriations by November 1, 2025.

Supported by VCAHT: Allows sexual assault patients, including survivors of human trafficking and exploitation, to receive vital information about advocacy services and improves access to sustainable medical and forensic care, helping to better support their recovery and healing.

HB 1846 Requires the attorney for the Commonwealth to make a reasonable effort to notify the victim of an offense for which a person is required to register on the Sex Offender and Crimes Against Minors Registry or such victim's immediate family member if such victim has died when such registrant applies for a change of name with the court.

Supported by VCAHT: Ensures that survivors of trafficking and other crimes are informed when offenders apply for a name change, promoting transparency and protecting survivors' safety.

HB 1968 / SB 1200 Extends, for the purpose of compensating victims of crime, the time for filing a claim by the claimant to not later than three years after the occurrence of the crime upon which such claim is based, or not later than three years after the death of the victim. Under current law, such time frame is not later than one year after either instance.

Supported by VCAHT: The process of recovery for human trafficking survivors is complex and has only begun to be better recognized within the past couple of years. Therefore, it can often take years for a survivor to be identified and properly screened. This bill would allow more time for survivors to seek compensation, as the prior one-year limit was extremely narrow and unlikely to assist many survivors as they attempt to rebuild their lives.

Did Not Pass This Session

HB 1556 / SB 1026 Authorizes the Attorney General to institute or conduct criminal prosecutions in cases involving a violation of criminal sexual assault or commercial sex trafficking when such crimes are committed against children.

Supported by VCAHT: The Attorney General of Virginia presently can prosecute child pornography crimes and providing the AG with the ability to prosecute sex trafficking crimes would be an extension of this and provide resources to smaller jurisdictions that may not be able to prosecute such crimes because of a lack of resources.

HB 1625 Eliminates the exemptions from Virginia's minimum wage requirements for (i) persons employed as farm laborers or farm employees and (ii) certain temporary foreign workers.

Supported by VCAHT: Addresses financial exploitation by ensuring that farm laborers and temporary foreign workers are paid at least the minimum wage, directly combatting a form of trafficking that relies on underpaying and exploiting vulnerable workers.

HB 1654 / SB 985 Mandates every accommodations intermediary to require its accommodations providers to complete certain training on recognizing and reporting instances of suspected human trafficking. Current law limits this requirement to every hotel proprietor and its employees and excludes short-term rentals. The bill prohibits an accommodations intermediary from listing a short-term rental property prior to receipt of an up-to-date written certification signed by the accommodations provider of such property that such accommodations provider has complied with the relevant training requirements.

Supported by VCAHT: Training is currently required for hotel-like businesses that could lead traffickers to use short-term rentals to avoid detection. By providing training to short-term rental providers, traffickers will have fewer options to use temporary shelters in their scheme.

HB 1886 Allows a circuit or district court that has deferred proceedings pursuant to relevant law discretion to impose costs upon the defendant but prohibits the court from requiring such costs to be paid in full as a condition for the dismissal of proceedings in a criminal case. Current law requires such costs to be paid prior to dismissal.

Supported by VCAHT: Ensures that survivors of trafficking and exploitation are not further burdened by financial barriers when seeking justice, allowing for more flexibility in the payment of costs and reducing obstacles to the dismissal of criminal proceedings.

HB 1991 Requires the Superintendent of State Police to establish a Domestic and Sexual Assault Conviction Database that would include information on persons who were convicted of certain offenses against a family or household member, defined in the bill. The Database will be available to the public on the Department of State Police website. Persons whose information is on the Database may petition for removal of

their information from the Database if certain requirements are met, and the State Police shall include such petition information on the Database website. Under the bill, the Superintendent of State Police is required to complete the Database by July 1, 2026.

Supported by VCAHT: Creates a public resource that enhances transparency and accountability for individuals convicted of domestic and sexual assault offenses, providing critical information that can help protect survivors of trafficking and exploitation from further harm.

HB 2279 Authorizes the Attorney General to prosecute violations of criminal law relating to human and sex trafficking offenses in connection with racketeering.

Supported by VCAHT: Creates a public resource that enhances transparency and accountability for individuals convicted of domestic and sexual assault offenses, providing critical information that can help protect survivors of trafficking and exploitation from further harm.

HB 2589 Nonprofit organizations supplying human trafficking informational materials to state entities for distribution. Allows a nonprofit organization that has been granted tax-exempt status under § 501(c)(3) of the Internal Revenue Code to supply to the Virginia Alcoholic Beverage Control Authority (the Authority) and the Department of Transportation (the Department) copies of informational materials about human trafficking at no cost, which may take the form of adhesive stickers. If any such nonprofit organization supplies such materials to the Authority, the bill requires the Authority to include a copy of the materials with the issuance and renewal of every on-premises retail license. If any such nonprofit organization supplies the Department with such materials, the bill requires the Department to make such materials available at all rest areas along Interstate System highways in the Commonwealth in a place readily visible and accessible to the public.

Supported by VCAHT: Assists in spreading information regarding human trafficking awareness in some public places, increasing the ability for a victim to obtain support and resources, certain non-profits are able to supply this information at no cost increasing agency funds as well.

HB 2763 Increases from a Class 1 misdemeanor to a Class 6 felony, the penalty for a third or subsequent offense of solicitation of prostitution from an adult. The bill also makes it a Class 5 felony to solicit prostitution from any minor. Under current law, any person who solicits prostitution from a minor is guilty of a Class 6 felony if the minor is 16 years of age or older or a Class 5 felony if the minor is younger than 16 years of age. Finally, the bill increases the fines for certain offenses related to sex trafficking from \$100 to \$1,000 and from \$500 to \$2,500, respectively.

Supported by VCAHT: Increases penalties for solicitation of prostitution, further protecting minors and adults by deterring trafficking. Directly targets buyers as the perpetrators of the industry as well.

HJ 501 Constitutional amendment (first reference); Literary 5 Fund; exemption for certain asset forfeiture.

Supported by VCAHT: Works to bring funds back to locality and to utilize forfeiture assets and funds in the rehabilitation and support of human trafficking survivors.

SB 747 Provides that a juvenile and domestic relations district court has the authority to order preliminary mental health and social assessments and further screenings, if necessary, for certain cases involving a child. If a juvenile is found to be delinquent, the bill also provides that a juvenile and domestic relations district court has the authority to place such juvenile on probation and order treatment or services for mental illness or developmental disability through a program licensed by the Department of Behavioral Health and Developmental Services. Finally, the bill requires in certain circumstances that a juvenile and domestic relations district court provide information to a juvenile's parent or legal guardian regarding the Parent Educational Advocacy Training Center.

Supported by VCAHT: Many victims of human trafficking experience exploitation while they are still children. This bill would provide crucial screening services that would make victims of trafficking more likely to be identified and less likely to be criminalized without proper evaluation.

For more information or to become a member of the Coalition, please contact us at info@vcaht.org or visit us on the web at www.vcaht.org.