

House Research Act Summary

CHAPTER: 137

SESSION: 2009 Regular Session

TOPIC: Prostitution and trafficking offenses

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Section

- 1** **Publication.** Removes an obsolete report on trafficking, and requires publishing of trafficking data every two years.
- 2** **Labor trafficking.** Expands the definition of labor trafficking to include persons who receive profit or anything of value, knowing or having reason to know it is derived from labor trafficking.
- 3** **Promotes prostitution of an individual.** Strikes a reference to sex trafficking in the definition of “promotes the prostitution of an individual.” The crime of “sex trafficking” is moved to section 7.
- 4** **Sex trafficking.** Expands the definition of sex trafficking to include persons who receive profit or anything of value, knowing or having reason to know it is derived from sex trafficking.
- 5** **Public place.** Expands the definition to include a “steam room, sauna, massage parlor, shopping mall and other public shopping areas.” Prostitution in a public place carries a gross misdemeanor penalty.
- 6** **Prior qualified human trafficking-related offense.** Defined as a prior conviction or adjudication of delinquency for prostitution, sex trafficking, labor trafficking, or unlawful conduct with regard to documents in furtherance of trafficking.
- 7** **Prostitution; sex trafficking.** Provides a 20-year felony for engaging in the sex trafficking of an individual under the age of 18 years and a 15-year felony for engaging in the sex trafficking of any other individual. Also creates an enhanced 25-year felony sentence if a

sex trafficking offense included any of the following aggravating factors:

- the offender has committed a prior qualified human trafficking-related offense;
- the offense involved a sex trafficking victim who suffered bodily harm during the commission of the offense;
- the time period that a sex trafficking victim was held in debt bondage or forced labor or services exceeded 180 days; or
- the offense involved more than one sex trafficking victim.

- 8 Prostitution in a public place.** Makes clarifying changes to the language found in the crime of “prostitution in a public place” by inserting language that is uniform and consistent with other prostitution statutes.
- 9 General prostitution crime.** Makes clarifying changes to language. Expands the enhanced penalty for repeat violations under this section (engaging in prostitution) by adding previous violations under section 609.322 (soliciting or promoting prostitution of an individual).
- 10 Definition.** Adds section 609.322 (solicitation, inducement, and promotion of prostitution; sex trafficking) to the "violent crime" definition in section 611A.036 (Prohibition Against Employer Retaliation).
- 11 Crime of violence.** Adds section 609.322 (solicitation, inducement, and promotion of prostitution; sex trafficking) to the "crime of violence" definition of section 624.712, subdivision 5 (firearm prohibition).