

# Chapter 27

2023 Regular Session

**Subject** Amending the crimes related to labor trafficking

**Bill** H.F. 42

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## Overview

This bill makes changes to definitions related to the crimes of labor trafficking, creates the crime of labor trafficking that results in death, and creates enhanced penalties for labor trafficking a person over an extended period of time or when a labor trafficking victim suffers great bodily harm as a result of the trafficking. The bill also harmonizes the definitions in the sex trafficking statutes with the definitions in the labor trafficking statutes.

## Summary

Section	Description
1	<b>Definitions.</b> Deletes the definition of “blackmail” and makes a conforming change to adopt the term “forced or coerced labor or services.”
2	<b>Public awareness initiative.</b> Makes a conforming change to remove the term “blackmail” and adopt the term “forced or coerced labor or services.”
3	<b>Debt bondage.</b> Amends the definition of “debt bondage” by removing references to a pledge by a debtor and defining the term as the status of a person who provides labor or services for a real or alleged debt when the value of the labor or services is not deducted from the debt or the length and nature of the services is not limited or defined.
4	<b>Forced or coerced labor or services.</b> Makes changes to the definition of “forced or coerced labor or services” to specify the types of harm or threat of harm that qualifies as forcing labor or services.

<b>Section</b>	<b>Description</b>
5	<b>Labor trafficking.</b> Amends the definition of “labor trafficking” to include actions done in furtherance of prohibited conduct and makes additional technical changes.
6	<b>Psychological harm.</b> Defines the term “psychological harm” for the statutes related to trafficking crimes. States that the term includes mental distress, suffering, or anguish as demonstrated by factors including seeking psychotherapy, being diagnosed with a mental health condition, and having difficulty concentrating on tasks resulting in a loss of productivity.
7	<b>Labor trafficking resulting in death.</b> Establishes the crime of labor trafficking resulting in death. Provides that a person who knowingly engages in the labor trafficking of an individual may be sentenced to up to 25 years in prison if the labor trafficking victim dies and the death arose out of and in the course of the trafficking.
8	<b>Individuals under age 18; extended period of time; great bodily harm.</b> Establishes an enhanced crime of labor trafficking a person over an extended period of time or when the victim suffers great bodily harm. Includes the existing crime of trafficking a person under age 18 in the new subdivision. Establishes a maximum penalty of 20 years for the offense.
9	<b>Debt bondage.</b> Adopts a definition established in the labor trafficking crimes for the sex trafficking statutes.
10	<b>Forced or coerced labor or services.</b> Adopts a definition established in the labor trafficking crimes for the sex trafficking statutes.
11	<b>Labor trafficking victim.</b> Adopts a definition established in the labor trafficking crimes for the sex trafficking statutes.
12	<b>Solicitation, inducement, and promotion of prostitution; sex trafficking in the first degree.</b> Makes a conforming change to adopt a revised term.
13	<b>Affirmative defense.</b> Makes a conforming change to eliminate unnecessary cross references.

Section	Description
14	<b>Severity level ranking review.</b> Directs the Minnesota Sentencing Guidelines Commission to consider assigning an offense severity level to labor trafficking offenses.
15	<b>Repealer.</b> Repeals the definition of “blackmail” in section 609.281, subdivision 2.



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