

# HOUSE RESEARCH

## Bill Summary

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### Overview

This bill establishes a civil cause of action for victims of human labor and sex trafficking against persons, businesses, and organizations engaged in trafficking activities.

#### Section

- 1** **Civil liability.** Permits a victim of human trafficking to bring a civil lawsuit against an individual, business, or organization engaged in labor trafficking, or the solicitation, inducement, or promotion of prostitution. A civil lawsuit is also permitted against an individual, business, or organization that confiscates or destroys a passport, immigration document, or other government issued identification in an attempt to engage in labor or sex trafficking or to restrict a person's ability to travel freely.

If the victim's lawsuit is successful, the victim is entitled to the greater of: (1) actual damages, including damages for emotional distress; or (2) an amount specified in the bill. These amounts are tiered based on the length of time a person was trafficked. A prevailing victim is also entitled to punitive damages, costs, disbursements, litigation costs, and reasonable attorney's fees.

A simultaneous criminal action for the same activities is not required for a civil lawsuit under this section to be pursued. A lawsuit must be brought within six years after the cause of action accrues, or within one year of the date the victim becomes free of the traffickers, whichever is later.

These provisions apply to causes of action arising on August 1, 2009 or later.

- 2** **Repealer.** Repeals an existing section of law related to civil lawsuits for labor trafficking activities and destruction of documents. The repealer is effective August 1, 2009.