Fact Sheet on State Anti-Trafficking Laws from US PACT [Policy Advocacy to Combat Trafficking]
A Program of the Center for Women Policy Studies
March 2012

State Legislative Initiatives

The Center for Women Policy Studies works with state legislators to develop legislative initiatives:

- to make trafficking a state felony offense with appropriately harsh punishments for traffickers and protections for the women and girls who have been trafficked into our communities; we urge states to pass criminalization statutes and also to provide for victim protection and assistance programs; (page 3)

- to create statewide interagency task forces on human trafficking, with a mandate to determine the nature and extent of trafficking in each state and make recommendations for legislative, policy and programmatic initiatives; (page 25)

- to regulate “bride trafficking” by commercial “international marriage brokers” (also called “mail order bride” or “international matchmaking” organizations) that operate in the state; (page 31) and

- to regulate travel service providers that facilitate sex tourism (page 33).

The following summary of all state laws addressing trafficking in persons is current as of March 1, 2012. The next update of the Fact Sheet will be posted in January of 2013 and will include all state laws passed during the 2012 legislative sessions. States are listed below in alphabetical order rather than in order of passage of the legislation.

We honor the sponsors of these bills for their leadership and commitment and have listed them at the end of the Fact Sheet (page 34).
<table>
<thead>
<tr>
<th>State</th>
<th>Criminalization Statute</th>
<th>Statewide Task Forces</th>
<th>Regulating International Marriage Brokers</th>
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*Year law was passed
Summary of State Anti-Trafficking Laws

Criminalization and/or Victim Protection and Services Statutes

Alabama: HB 432 establishes a Class A felony offense for human trafficking in the first degree for “knowingly” subjecting a person to “labor servitude or sexual servitude through the use of coercion or deception” or trafficking a minor for sexual servitude. A Class B felony offense for human trafficking in the second degree is established for those who knowingly benefit from human trafficking. Neither offense has a statute of limitations. HB 432 also creates a Class C misdemeanor for obstruction or attempted obstruction of enforcement of this law. Corporations may also be prosecuted under this law, but only if an agent engages in human trafficking on behalf and at the behest of the corporate entity. The statute includes a provision for asset forfeiture and provides the victim with a private right of action, mandatory restitution and creates an affirmative defense so they cannot be prosecuted for crimes they committed as a result of being trafficked. Effective Date: July 1, 2010.

Alaska: SB 12 creates the class A felony of human trafficking in the first degree and the class B felony of human trafficking in the second degree. SB 12 also requires the legislative council, the court system and the Commissioner of Administration to adopt provisions prohibiting procurement from a person that has headquarters in or conducts business in a country listed in Tier 3 of the most recent US State Department Trafficking in Persons Report. Effective Date: July 1, 2006.

Arizona: SB 1372 establishes the first degree felony of sex trafficking of a minor under the age of 15 and the second degree felony of attempted sex trafficking of a minor. The bill further establishes two class 2 felonies, sex trafficking and trafficking of persons for forced labor or services, and one class 4 felony, unlawfully obtaining labor or services. Additionally, the court is required to order victim restitution. Effective Date: August 12, 2005.

SB 1281 amends the existing statute to expand the definition of sex trafficking to include “sexually explicit performance” engaged in as a result of deception, force or coercion, and adds the additional offense of the “knowledge that the other person will engage in any prostitution or sexually-explicit performance.” SB 1281 also expands the definition of coercion and the definition of forced labor to include services obtained as a result of deliberate actions taken to remove or withhold a person’s documents, threats to abuse the law, extortion, threat of financial harm and/or control of access to controlled substances. Effective Date: September 30, 2009.
Arizona: SB 1059 amends the existing definition of “traffic” for both the sex trafficking and trafficking of persons for forced labor or services offenses by deleting the “for transport” requirement and including “transport” as an element of trafficking. Effective Date: July 29, 2010.

Arkansas: HB 2979 establishes the class A felony of trafficking in persons for the purposes of involuntary servitude, peonage, debt bondage, slavery, marriage, adoption or sexual conduct. The bill also creates the class A felony of benefiting financially from trafficking. Effective Date: August 11, 2005.

California: AB 22 establishes human trafficking for forced labor or services as a felony crime punishable by a sentence of 3, 4 or 5 years in state prison and a sentence of 4, 6 or 8 years for trafficking of a minor. The bill provides for mandatory restitution and allows trafficking victims to bring a civil action against his or her trafficker. Strict guidelines and timetables are created for the issuance of Law Enforcement Agency Endorsements for trafficking victims. The bill also establishes an interagency statewide task force. Effective Date: September 21, 2005.

SB 1569 amends California’s Welfare and Institutions Code allowing non-citizen victims of trafficking, domestic violence and other serious crimes to gain access to state funded social services, including cash assistance, employment, social services and health care services under the Cuban-Haitian Entrant Program and the Refugee Resettlement Program. Trafficking victims are eligible for state funded social services for up to one year, at which point benefits may continue if a continued presence request or T Visa application has been filed. SB 1569 provides guidelines for determining whether or not a person is a “victim of a severe form of human trafficking.” Effective Date: September 29, 2006.

ACR 28 recognizes the US Congressional Resolution (S. Con. Res. 40) to observe a “National Day of Human Trafficking Awareness” on January 11 of each year to promote awareness of human trafficking, and to support efforts to combat trafficking in persons. Effective Date: September 21, 2007.

AB 1278 amends California’s Civil Code to make void any provision of a contract that seeks to withhold any wages as compensation for transporting or assisting in emigration of a person into the United States. The bill also amends California’s Penal Code to require a hearing in human trafficking cases spanning multiple jurisdictions to determine where the case should be tried. Effective Date: August 4, 2008.

AB 2810 requires law enforcement agencies to assess whether a victim of domestic violence or rape, or a person “suspected of violating” California’s solicitation and prostitution laws, is also a victim of human trafficking. The statute provides specific indicators, including lack of control over one’s identification, lack of freedom of movement and signs of trauma or poor care, by which to make this determination. The bill also requires law enforcement agencies to inform the victim that his or her name can be withheld from public record should they request it and requires identifying information be kept confidential except for agencies involved in investigating and prosecuting the case. Effective Date: September 18, 2008.
California: AB 17 classifies any cases “involving human trafficking of minors for purposes of prostitute or lewd conduct” or “abduction or procurement as by fraudulent inducement for prostitution” as criminal profiteering activity and requires that any proceeds made from forfeiture of property and monies from fines paid in these cases be deposited into the Victim-Witness Assistance fund. These funds are allocated for counseling programs that serve children who have been sexually abused or exploited. AB 17 requires that 50 percent of the funds be granted to community-based organizations serving trafficking victims who are minors. The bill also increases maximum additional fines for procurement of a child under the age of 16 to $20,000. Effective Date: Oct 11, 2009.

SB 657 creates the California Transparency in Supply Chains Act of 2010 that mandates all retailers and manufacturers “doing business in the state” and who generate in excess of one million dollars in “gross receipts” to publicly “disclose its efforts to eradicate slavery and human trafficking from their direct supply chains for tangible goods offered for sale.” SB 657 provides a list of actions retailers and manufacturers must take to adhere to the law and requires that these efforts be posted on businesses’ website homepage. Businesses in violation of this statute shall have an “action brought by the Attorney General for injunctive relief.” Beginning November 30, 2012, the Franchise Tax Board must submit to the Attorney General an annual list of the businesses required to disclose efforts to combat trafficking in their supply chains. Effective Date: January 1, 2012.

SB 677 allows for the seizure of any “real property” that is used to facilitate the offense of human trafficking. Effective Date: January 1, 2011.

AB 12 creates the Abolition of Child Commerce, Exploitation, and Sexual Slavery Act of 2011 allowing the court to impose an additional fine, on top of any other penalty, for a person “convicted of seeking to procure or procuring the sexual services of a prostitute” under the age of 18. This fine may not exceed $25,000 and is to fund “programs and services for commercially sexually exploited minors.” Effective Date: January 1, 2012.

AB 90 includes the offense of inducing a person under the age of 18 to “engage in a commercial sex act” by use of “force, fear, coercion, deceit, violence, duress, menace or threat of unlawful injury to the victim or to another person” in the definition of criminal profiteering activity under the California Control of Profits of Organized Crime Act that governs the procedures for forfeiture of property. Proceeds from the property forfeited in these cases are to be deposited in the Victim-Witness Assistance Fund to support programs and services for sexually exploited minors. Effective Date: January 1, 2012.

AB 764 allows an individual taxpayer to designate on the tax return that a specified amount in excess of the tax liability be transferred to the Child Victims of Human Trafficking Fund. Effective Date: January 1, 2012.

SB 557 authorizes the cities of San Diego and Anaheim, and the counties of Alameda and Sonoma, to create a two-year pilot program to establish a family justice center that provides services to victims of abuse, including victims of human trafficking, domestic violence and sexual assault. The multiagency and multidisciplinary family justice centers will allow victims of abuse to access a full range of coordinated services from one location. SB 557 stipulates that the
victim will not be required to cooperate with law enforcement in order to receive services and cannot be denied services “on the grounds of criminal history.” Each family justice center must maintain an informed client consent policy and must comply with all state and federal laws to protect the victim’s confidentiality. The National Family Justice Center Alliance is charged with evaluating the four family justice centers and reporting its findings to the Assembly and Senate Judiciary Committees and the Assembly and Senate Public Safety Committees no later than January 1, 2013. **Effective Date:** October 1, 2011.

**Colorado:**  **SB 207** establishes the class 2 felony of trafficking in adults (persons 16 years of age or older) and the class 3 felony of trafficking in children (persons under the age of 16). A person commits the crimes of trafficking in adults or children if he or she sells, exchanges, barters or leases an adult or child and receives any money or other consideration or thing of value for the adult or child. **Effective Date:** July 1, 2006.

**HB 1123** increases the penalty for trafficking in children from a class 3 felony to a class 2 felony and amends the age definition of a “child” from under 16 years old to under 18 years old. HB 1123 also expands the definition of “coercion of involuntary servitude” to include threat of physical harm, threat of abuse of the legal system and deception leading the person to believe they would suffer physical harm. **Effective Date:** May 21, 2009.

**Connecticut:**  **SB 153** establishes the class B felony of trafficking in persons and allows a trafficking victim to bring a civil case to recover penalties, actual damages, and statutory damages. SB 153 authorizes and funds a training program on trafficking in persons for state police, the office of the Chief State’s Attorney, local police departments and community organizations. **Effective Date:** July 1, 2006.

**SB 1500** establishes that the Office of Victim Services within the Judicial Department shall contract with nongovernmental organizations to develop a coordinated response system to assist victims of trafficking. Contracts will be entered for the purpose of developing a uniform curriculum to address rights and services for victims, developing information and materials on resources and services for victims, seeking out quality training regarding culturally sensitive assistance for victims, and promoting and disseminating information on training and other educational opportunities for victim assistance to emergency medical services, faith based communities, sexual assault service providers, domestic violence service providers and state and local government agencies. **Effective Date:** October 1, 2007.

**Delaware:**  **HS 1** establishes trafficking of persons and involuntary servitude for forced labor, services and the use of body parts as a class F, E, C, B and A felony. Restitution to victims is mandatory. No later than one year after the effective date of HS 1 the Attorney General with the Department of Health and Social Services will issue a report outlining the effectiveness of existing victim/witness laws and regulations in response to the needs of trafficking victims. They shall also issue a report outlining existing social service programs’ response to the needs of trafficking victims. It must also include a section describing the ability of state programs and licensing bodies to recognize federal non-immigrant status for the purposes of benefits, programs and licenses. **Effective Date:** July 1, 2007.
SB185 amends existing code pertaining to registration of sex offenders to include trafficking of persons under the age of 13 and “sexual servitude of a minor through threat of force” into the Risk Assessment Tier III category, and trafficking in persons aged 13-17 into the Tier II category. **Effective Date:** July 10, 2009.

**Florida:** SB 1962 establishes the first degree felony of sex trafficking for parents, legal guardians, or other persons having custody of a minor who sell, transfer custody, or offer to sell or transfer custody of the minor for the purpose of sex trafficking or prostitution. The bill further establishes two second degree felonies: obtaining forced labor and sex trafficking and human trafficking for anyone who knowingly participates in trafficking for purposes of forced labor or prostitution. Any sex trafficking activity that results in death or is committed against a person who is under the age of 14 is considered a first degree felony. **Effective Date:** October 1, 2004.

SB 250 expands the definition of forced labor or services to include the use of fraud or coercion, isolation, certain debt practices and the destruction, concealing, removing, confiscating or withholding of identification documents and the second degree felony of knowingly benefiting from human trafficking. SB 250 also establishes a civil cause of action that allows for recovery of threefold the amount of profit gained from the trafficking, redefines racketeering activity to include human trafficking for purposes of the Florida RICO Act and authorizes the Office of Statewide Prosecution to prosecute human trafficking offenses. **Effective Date:** October 1, 2006.

HB 7181 requires the Department of Children and Family Services to provide services to immigrant trafficked persons, victims of domestic violence and victims of other serious crimes during the interim period when their visa application is under review. The trafficked person shall receive existing state and local benefits and services at the same level as those provided to refugees as well as access to state-funded services that are equivalent to the federal cash, medical and social service programs for refugees. HB 7181 also requires creation of a state funded component of the cash, medical and social services programs for refugees to fund services for trafficked persons. To be eligible to receive such benefits and services, the trafficked person must provide a sworn statement as evidence as well as one additional item of evidence that supports her/his status as a trafficking victim including, but not limited to, police and court records, news articles, documentation from a professional agency, physical evidence, or a statement from an individual having knowledge of the circumstances providing a basis for the claim. HB 7181 also requires the Department of Children and Family Services to develop a public awareness program about human trafficking for employers and other organizations that may come in contact with immigrant survivors of human trafficking. **Effective Date:** July 1, 2007.

SB 1442 amends the state statute that makes selling or transferring of a minor into sex trafficking a first degree felony, by removing “force, fraud, or coercion” as a means of compelling the minor to engage in commercial sexual activity. **Effective Date:** June 17, 2008.

**Georgia:** SB 529 establishes the felonies of trafficking in persons for labor servitude and trafficking in persons for sexual servitude. A person convicted of trafficking in adults shall be sentenced to a minimum of one year and a maximum of 20 years. A person convicted of trafficking in minors (under 18 years of age) shall be sentenced to a minimum of 10 years and a maximum of 20 years. A corporation may be prosecuted under this section if an agent of the corporation acts within his employment capacity and on behalf of the corporation and such action
was sanctioned by the corporation or was part of a pattern of illegal activity. **Effective Date:** July 1, 2007.

**HB 200** revises the existing anti-trafficking statute to increase the penalty for the offense of trafficking of a person for labor or sexual servitude, add new definitions and revise existing ones, include a new provision for asset forfeiture, provide an affirmative defense for certain “sexual crimes,” make victims of trafficking eligible for victim compensation and mandate the creation of guidelines and procedures for how law enforcement identifies and assists victims of trafficking. The new legislation increases the minimum incarceration period for the offense of trafficking of a person for labor or sexual servitude from not less than one year to not less than 10 years and includes the possibility of a fine (not to exceed $100,000.00). Moreover, it increases the penalty for trafficking of a person under the age of 18 by including the possibility of a fine (not to exceed $100,000.00) and includes an enhanced penalty for trafficking of a person under the age of 18 by use of coercion or deception. HB 200 adds to the existing statute definitions for “performance” and “sexually explicit conduct,” revises the definition of “sexual servitude” to include “performance involving sexually explicit conduct” and expands the definition of coercion to include “causing or threatening to cause financial harm to any person or using financial control over any person.” Additionally, it disallows the accused’s lack of knowledge of the age of the trafficked person as a defense and allows the court to exclude a trafficking victim’s sexual history, including history of commercial sexual activity, and the blood or marital relationship to the trafficker if the court finds that “probative value of the evidence is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or misleading the jury.” The Georgia Peace Officer Standards and Training Council and the Georgia Public Safety Training Center are charged with establishing “guidelines and procedures for the incorporation of training materials” on methods of identifying victims, reporting incidents of trafficking, and assisting victims of trafficking, including provision of appropriate shelter. The new statute includes identifying and investigating incidences of trafficking of a person as one of the powers and duties of the Georgia Bureau of Investigation. **Effective Date:** July 1, 2011.

**Hawaii:** **HB 141** establishes a Class A felony offense for labor trafficking in the first degree for “knowingly” providing or obtaining another person for labor services by means involving extortion, kidnapping, unlawful imprisonment, force, threat, intimidation, deception, fraud, assault, repayment of debt, threatened harm of trafficked person or their loved one, or withholding trafficked person’s government-issued identification. A Class B felony is established for labor trafficking in the second degree for “knowingly” acting as an individual or business to aid another in a venture, knowing that venture is committing labor trafficking, or benefitting from participation in a venture knowing or recklessly disregarding that another person in that venture is committing labor trafficking in the first degree. Labor trafficking in the second degree is raised to a Class A felony if the violation involves kidnapping, aggravated sexual abuse, attempt to cause death or death. If convicted of labor trafficking in the second degree, all business licenses for businesses used to aid in the trafficking that were issued by the State are to be revoked. When determining particular sentences, the court will consider the amount of time the victim was held in servitude and the number of victims. If a person is found guilty of first or second degree labor trafficking, extended terms of imprisonment may be given if the victim suffered bodily injury or death. Labor trafficking victims are also entitled to restitution. The bill also includes nonpayment of wages and unlawful conduct with respect to documents, both of which are listed as Class C felonies. Labor trafficking is listed among crimes for which property
is subject to forfeiture. HB 141 also adds the offense of labor trafficking to those crimes that a
drive may grant authorization for law enforcement to gather evidence by interception of wire,
oral or electronic communications. Finally, the office of the Attorney General must submit a
report on the implementation of this act to the legislature no later than 20 days prior to the
convening of the regular session of 2014. **Effective Date:** July 1, 2011.

**HR 162** charges the Department of Human Services with “facilitating provision of social
services to non-citizen victims of human trafficking.” HR 162 requires that the Department of
Human Services identify existing barriers that deny or limit access to benefits for non-citizen
victims of human trafficking and conduct a needs assessment of the appropriate social services
necessary for victims of human trafficking. **Effective Date:** April 12, 2007.

**Idaho:** HB 536 establishes human trafficking as a felony punishable by imprisonment in the
state prison for not more than 25 years. HB 536 requires the Attorney General, in consultation
with the Department of Health and Welfare and the United States Attorney’s office, by July 1,
2007, to issue a report on how existing victim and witness laws respond to the needs of human
trafficking victims, their relationship with federally funded victim service programs, and
suggested areas of improvement and modification. The law also authorizes the court to order
restitution to trafficking victims and to order payment for mental and physical rehabilitation of
the victim. **Effective Date:** July 1, 2006.

**Illinois:** HB 1469 establishes the felony offenses of involuntary servitude, involuntary servitude
of a minor and trafficking of persons for forced labor or services. Such factors as causing or
threatening physical harm; destroying, concealing, removing, confiscating or possessing any
actual or purported immigration document; and using intimidation can be used to determine the
severity of the charge. The trafficker’s behavior – including commission of sexual assault,
extreme violence, or bodily injury – and the number of victims can be considered in sentencing.
In addition to sentencing, the court must order restitution to the victim and the forfeiture of any
assets obtained as a result of the involuntary servitude or trafficking offenses. **Effective Date:**
January 1, 2006.

HB 1299, Illinois’s *Predator Accountability Act* provides “victims of the sex trade,”
including victims of trafficking, with a private right of action. These victims may bring a civil
action against those responsible for recruiting, harming, profiting from or maintaining them in
the sex trade. Additionally, victims are entitled to declaratory relief and injunctive relief. HB
1299 establishes a 10 year statute of limitations for those seeking compensatory, punitive and/or
pecuniary damages under this Act. The law does provide an exception for those victims under the
age of 18 or whose disability precludes them from bringing a civil suit. In each of these cases, the
statute of limitations does not begin to run until the person attains the age of 18 or the “removal
of the disability.” **Effective Date:** July 3, 2006.

SB 133 makes technical changes to the existing trafficking criminalization statute.
**Effective date:** January 1, 2010.

SB 1037 allows a person convicted of certain prostitution offenses to file a motion to
vacate the judgment, if the participation in the offense was a result of being a victim of sex
trafficking. **Effective Date:** January 1, 2012.
Indiana: HB 1155 establishes the class A felony of sexual trafficking of a minor, the class B felony of promoting human trafficking and the class C felony of human trafficking. This measure requires court ordered victim restitution, provides protection to trafficking victims, and allows that some cases of trafficking be considered domestic violence and racketeering activity. HB 1155 also requires the sentencing policy study committee to examine human trafficking issues and the law enforcement training board to establish minimum standards for a course of study on human and sexual trafficking to be completed by law enforcement trainees, cadets and during law enforcement officers’ in-service training programs. Effective Date: July 1, 2006.

HB 1386 amends the definition of “sex offender” to include promotion of all forms of human trafficking of persons who are under the age of 18 and of sex trafficking of a minor. Effective Date: July 1, 2007.

Iowa: SF 2219 establishes class B, C or D felonies of human trafficking of adults and victims under 18 years of age. This measure requires – in consultation with experts in the field – the development of human trafficking training standards, including curricula on cultural sensitivity and dealing effectively and appropriately with trafficking victims. SF 2219 provides an affirmative defense for trafficking victims facing criminal charges, affords trafficking victims the same rights as other victims, and allows access to the victim compensation fund. SF 2219 requires any law enforcement agency investigating human trafficking to notify the attorney general and upon request to provide copies of investigative reports. The attorney general then is required to certify to the US Department of Justice that an investigation or prosecution is underway, that the person is a likely victim of human trafficking, and is willing to or is cooperating with the investigation, thus allowing the trafficking victim to seek a special immigrant visa and to access available federal benefits. Effective Date: July 1, 2006.

SB 27 expands the definition of "commercial sexual activity" to include sexually explicit performances. Effective date: July 1, 2009.

Kansas: SB 72 establishes the level 2 felony offense of trafficking and the level 1 felony offense of aggravated trafficking. Trafficking is defined as aggravated if it includes kidnapping or attempted kidnapping; the sexual gratification of the defendant or another person; death of the victim; or, trafficking of a person under the age of 18. Effective Date: July 1, 2005.

SB 353 renames the existing offenses of “trafficking” and “aggravated trafficking” to “human trafficking” and “aggravated human trafficking” respectively and expands the definition of to include two additional methods of human trafficking, “coercing employment” and peonage. The statute also adds the offenses of human trafficking and aggravated human trafficking to the list of crimes which are subject to asset forfeiture for traffickers. Effective Date: July 1, 2010.

HB 2339 revises the existing human trafficking statute by amending the definition of human trafficking as the “intentional” recruitment, harboring, transportation, provision and obtainment of a person for labor or services, “intentionally” benefitting from human trafficking and “knowingly” coercing employment or services of another person. Effective Date: July 1, 2011.
Kentucky: SB 43 establishes a Class C felony offense for human trafficking for the purposes of forced labor or services or commercial sexual activity and a Class B felony if the victim suffers “severe physical injury” during the course of being trafficked. The statute includes an enhanced penalty for trafficking of a minor (a person under the age of 18). SB 43 also establishes a Class D felony for promoting human trafficking unless the victim is a minor, in which case it is a Class C felony. A minor who was trafficked for the purpose of commercial sexual activity may bring civil suit against the trafficker in order to recover damages. The statute establishes guidelines for “confidential communication” between the victim and his or her caseworker. Effective Date: June 26, 2007.

Louisiana: HB 56 establishes the crime of human trafficking, which is punishable by a maximum fine of $10,000 and a maximum sentence of 10 years in prison. If the trafficking is committed for the purposes of commercial sexual activity, the maximum fine is $15,000 and the maximum prison sentence is 20 years. Trafficking of a minor carries a maximum fine of $25,000 and a prison sentence of five to 25 years. Effective Date: August 15, 2005.

HB 531 amends the existing statute by deleting “intentionally” and making it a crime to “knowingly” recruit, harbor, transport, provide, solicit or obtain another person through fraud, force or coercion to provide services or labor. Effective Date: August 15, 2010.

HB 825 amends the definition of “crimes of violence” to include “trafficking of children for sexual purposes” and “human trafficking” offenses. HB 825 amends the definition “aggravated offense” to include the crime of “trafficking of children for sexual purposes.” Effective Date: August 15, 2010.

HB 49 revises the crimes of human trafficking and trafficking of children for sexual purposes to add “maintain the use of” within the definition of each offense. The new law also makes it a crime to knowingly benefit from human trafficking and “knowingly facilitate any activities” under the offenses of human trafficking or trafficking of children for sexual purposes “regardless of whether a thing of value has been promised or received.” Finally, the statute criminalizes the act of knowingly advertising any activities associated with trafficking of children for sexual purposes. Effective Date: August 15, 2011.

Maine: LD 461 establishes a definition for human trafficking as a kidnapping or criminal restraint offense in which either identification documents are confiscated from the victim or the victim is made to believe that they or another person will suffer serious harm if the victim does not perform “certain labor or services, including prostitution.” The statute includes a provision for asset forfeiture and provides the victim with a private right of action. LD 461 establishes a 10-year statute of limitations within which a civil action can be brought and defines “work loss” specifically for trafficking cases to allow proper restitution. Effective Date: April 24, 2008.

Maryland: SB 606 establishes human trafficking as a misdemeanor offense punishable by imprisonment for up to 10 years, a fine of up to $5,000, or both. The statute also creates the
felony offense of human trafficking of a minor that is punishable by imprisonment for up to 25 years, a fine of up to $15,000, or both. The human trafficking offense includes trafficking for purposes of prostitution, performing sexual acts and marriage. SB 606 expands the felony extortion offense to include extortion for labor or services. Felony extortion of labor or services valued at $500 or more is punishable by imprisonment of up to 10 years, a fine of up to $5000, or both. Felony extortion of labor or services valued for less than $500 is punishable by imprisonment of up to 18 months, a fine of up to $500, or both. Effective Date: October 1, 2007.

SB 261 amends its existing human trafficking law to include a definition for “sexually explicit performance” and to prohibit the use of the threat of “physical restraint or serious harm” to compel another to take part in a sexually explicit performance. SB 261 also prohibits destroying, concealing, removing, confiscating or possessing any actual or purported immigration document and makes knowingly benefiting from a human trafficking scheme a criminal offense. Effective Date: October 1, 2010.

SB 542 requires that the Department of Labor, Licensing and Regulation design a sign regarding the National Human Trafficking Resource Center Hotline and post it on its website. SB 542 specifies the kind of information to be included as well as the composition of the sign. Any lodging establishment that was the location of an arrest that led to a conviction for the offense of prostitution, solicitation of a minor or human trafficking may be required to post the National Human Trafficking Resource Center Hotline poster in each of its guest rooms for one year, and businesses that do not comply may be subject to a civil penalty not exceeding $1,000.00. Effective Date: October 1, 2010.

HB 345 adds the offense of human trafficking to those crimes that a judge may grant authorization for law enforcement to gather evidence by interception of wire, oral or electronic communications. Effective Date: October 1, 2011.

HB 674 requires that the State Department of Education, in collaboration with the Department of Health and Mental Hygiene, provide awareness and training on human trafficking for directors of student services in local education agencies. The Department of Health and Mental Hygiene, in consultation with experts on human trafficking, must develop materials that provide information on human trafficking, strategies to prevent trafficking of children and resources for additional information. The Department of Health and Mental Hygiene must provide these materials to the State Department of Education that will distribute to local school supervisors of health, counseling and psychology. Effective Date: July 1, 2011.

SB 327 allows a person convicted of a prostitution offense to file a motion to vacate the judgment, if the participation in the offense was a result of being a victim of human trafficking. Effective Date: October 1, 2011.

Massachusetts: HB 3808 creates the crimes of trafficking of persons for sexual servitude, trafficking of persons for forced services, and benefiting financially or by receiving anything of value from participation in a venture that has engaged in the given acts. Each offense is punishable by imprisonment in the state prison for not less than five years, but not more than 20 years, and a fine not more than $25,000.00. If these acts involve a victim under the age of 18, the penalty is imprisonment in state prison for life or for any term of years, but not less than five
years. Any business entity that commits trafficking of persons for sexual servitude or forced services shall be punished by a fine of not more than $1,000,000.00 and shall be civilly liable for these offenses. Additionally, the new statute establishes the crime of organ trafficking that is punishable by imprisonment in the state prison for not more than 15 years, a fine of not more than $50,000.00, or both. HB 3808 allows victims of trafficking to bring a civil action against their trafficker(s), provides restitution for victims, as well as an affirmative defense for trafficking victims facing the charges of “common night walking” or “common street walking.” Furthermore, the new law provides guidelines for confidential communication between a victim of trafficking and their caseworker and includes a provision for asset forfeiture. HB 3808 establishes the Victims of Human Trafficking Trust Fund that will be financed by the proceeds from assets seized and forfeited, as well as fines and assessments collected for trafficking of persons offenses. The Victim and Witness Assistance Board will award grants from the Fund to organizations that provide assistance and services to trafficking victims. Finally, HB 3808 creates an interagency task force to address all aspects of human trafficking and provides guidelines for membership and duties of the task force. Effective Date: February 21, 2011.

Michigan: HB 5747 establishes human trafficking for forced labor or services as a felony punishable by imprisonment for not more than 10 years. It also makes benefiting financially from human trafficking a felony punishable by imprisonment for not more than 10 years. Enhanced penalties are included for kidnapping or an attempt to kidnap, criminal sexual conduct or an attempt to commit criminal sexual conduct, injury or death of the victim. Effective Date: August 24, 2006.

HB 5575 amends the existing human trafficking statute to create two new felony offenses: providing or obtaining labor or services of another by force, fraud or coercion and trafficking for the purposes of involuntary servitude or debt bondage. Both new offenses are punishable by up to 10 years incarceration and/or a fine not exceeding $10,000. Enhanced penalties are included if the offense involved a minor, a commercial sex act or serious harm to another. HB 5575 also provides restitution for victims of trafficking. Effective Date: April 1, 2011.

HB 5578 adds the crime of human trafficking to the list of offenses subject to property forfeiture. Effective Date: April 1, 2011.

Minnesota: HF 1 establishes the felonies of labor trafficking, sex trafficking and unlawful conduct with respect to documents in furtherance of labor or sex trafficking. Labor trafficking is punishable by up to 15 years in prison or a $30,000 fine, or both. Depending on the age of the victim, sex trafficking is punishable by a maximum prison sentence of either 15 or 20 years. The document offense carries a maximum punishment of five years in prison, a $10,000 fine, or both. Effective Date: August 1, 2005.

HB 1505 expands the definitions of labor and sex trafficking to include profiting from the act or having knowledge that profit was a result of trafficking. The bill also makes it a crime, punishable by a maximum of 20 years in prison and a $50,000 fine, to engage in sex trafficking of a person under 18 years of age and establishes a maximum penalty of 25 years in prison and a maximum fine of $60,000 in cases where there were multiple victims, the victim was held for
over 180 days, the victim suffered bodily harm or if this was a repeat trafficking offense. **Effective Date:** August 1, 2009.

**Mississippi: HB 381** establishes human trafficking for forced labor or services as a felony punishable by imprisonment for not more than 20 years; HB 381 includes those who benefit either financially or by receiving anything of value by engaging in human trafficking. Trafficking of a minor (a person under 18 years old) for commercial sexual activity is punishable by imprisonment for not more than 30 years. Knowingly destroying, concealing, removing or confiscating (or attempts of any of these acts) an actual or purported government identification document in furtherance of human trafficking is punishable by imprisonment for not more than five years. **Effective Date:** July 1, 2006.

**Missouri: HB 1487** makes changes to the laws regarding crimes against persons, establishing: a class A felony of sexual trafficking of a child; class B felonies of abusing an individual through forced labor and of trafficking for either forced labor or sexual exploitation; and a class D felony of contributing to human trafficking through the misuse of documentation. As part of the sentencing for a human trafficking offense, the court must order the perpetrator to pay restitution to the victim. Victims of any one of these five crimes also shall be afforded the rights and protections provided in the federal *Trafficking Victims Protection Act of 2000*. **Effective Date:** August 28, 2004.

**HB 214** revises the offenses of abuse through forced labor; trafficking for the purpose of slavery, involuntary servitude, peonage or forced labor; trafficking for the purposes of sexual exploitation; and sexual trafficking of a child, by including additional means of trafficking (blackmail, financial harm), adding enhanced penalties and making it a crime to benefit from participation in such activities. The statute provides trafficking victims with a private right of action, creates an affirmative defense for prostitution offenses and allows the Attorney General to bring a civil action against any “person or entity that benefits, financially or by receiving anything of value.” Additionally, HB 214 authorizes the Department of Public Safety to develop procedures to identity victims of trafficking and establish training programs and protocols to educate officials and employees of appropriate agencies on state and federal anti-trafficking laws, victim identification and assistance. Under the new law the Department of Social Services is authorized to “coordinate with relevant state, federal and local agencies to evaluate appropriate services for victims of trafficking” and state agencies may implement programs and enter into contracts with nongovernmental organizations to provide services to “confirmed” victims of trafficking. **Effective Date:** August 28, 2011.

**Montana: SB 385** establishes the felonies trafficking of persons for involuntary servitude and subjecting another to involuntary servitude. The penalty for trafficking of persons includes up to 15 years incarceration in the state prison, a fine of up to $100,000 or both. Trafficking of persons that includes “aggravated kidnapping, sexual intercourse without consent, or deliberate homicide” is punishable by a sentence of up to 100 years in the state prison and a fine not to exceed $100,000. Subjecting another to involuntary servitude carries a penalty of up to 10 years incarceration in the state prison, a fine of up to $50,000 or both. If the violation includes “aggravated kidnapping, sexual intercourse without consent, or deliberate homicide” the penalty includes a sentence of up to 100 years incarceration in the state prison and a fine of not more than $50,000. **Effective Date:** April 4, 2007.
Nebraska: **LB 1086** establishes a Class IV felony offense for trafficking of a person 18 years of age or older for the purpose of forced labor or services. Included is anyone who benefits financially or receives anything of value by participating in human trafficking. Enhanced penalties are included for inflicting or threatening to inflict serious personal injury, physically restraining or threatening to physically restrain a person or trafficking of a minor, a person 18 years of age or younger, for the purpose of engaging in commercial sexual activity. Knowingly destroying, concealing, removing, confiscating or possessing any actual or purported immigration document is a Class IV felony offense. LB 1086 requires that within a year of the effective date of this act the Attorney General and the Department of Health and Human Services, in consultation with each other, issue separate reports that assess how each department responds to the needs of trafficking victims and make suggestions for improvements and modifications. **Effective Date:** July 14, 2006.

Nevada: **AB 383** establishes trafficking in persons for illegal purposes as a category B felony punishable by up to 20 years imprisonment and a fine of up to $50,000 and trafficking in persons as a category B felony punishable by up to 10 years imprisonment and a fine of up to $50,000. The statute includes a provision for asset forfeiture and allows a victim of human trafficking to bring a civil action against his or her traffickers, if the traffickers were motivated by the trafficking victim’s “actual or perceived race, color, religion, national origin, physical or mental disability, or sexual orientation.” **Effective Date:** October 1, 2007.

**AB 6** allows a person convicted of a prostitution offense to file a motion to vacate the judgment, if the participation in the offense was a result of being a victim of trafficking in persons or involuntary servitude.

New Hampshire: **HB 474** establishes a Class A felony for trafficking in persons for involuntary servitude. The penalty for an offense involving a victim under the age of 18 performing “a commercial sex act or sexually explicit performance” is a minimum term of not more than 10 years and a maximum term of not more than 30 years’ incarceration. HB 474 subjects any property used in the violation to forfeiture, requires that funds made from sale of forfeited property be used for restitution to the victims and the victims’ assistance fund, and requires those convicted of trafficking crimes to pay victim restitution. The statute also provides for an affirmative defense. **Effective Date:** January 1, 2010.

New Jersey: **AB 2730** establishes the first degree felony offense of human trafficking for the purposes of engaging in sexual activity or providing labor or services. The maximum punishment for a trafficking offense is 20 years without parole or up to life in prison with the possibility of parole after 20 years. The court also must sentence the perpetrator to make restitution to the victim and may order forfeiture of any assets related to the trafficking violation. The Office of Victim-Witness Advocacy or the county prosecutor’s office must ensure that the trafficked individual obtains assistance in receiving any available benefits or services to trafficking victims. **Effective Date:** April 26, 2005.

New Mexico: **SB 71** establishes human trafficking as a third degree felony, except when the victim is under the age of 16, in which case it is a second degree felony (under the age of 16) or a first degree felony (under the age of 13). Knowingly benefiting from human trafficking is also included in the criminal definition. **SB 71** provides mandatory restitution for the trafficked
person and stipulates that a victim cannot be “charged with accessory to the crime of human trafficking.” Furthermore, the law makes victims eligible to receive state benefits and services, regardless of immigration status, until the victim qualifies for federal assistance. **Effective Date:** July 1, 2008.

**New York:** SB 5902 establishes a Class A felony for sex trafficking and a Class D felony for labor trafficking. In a prosecution of a sex trafficking or labor trafficking case, the victim “shall not be deemed an accomplice.” The statute allows the Office of Temporary and Disability Assistance to “coordinate and assist law enforcement agencies and district attorney’s offices to access appropriate services for human trafficking victims,” and to enter into contracts with non-governmental organizations for the purpose of providing “pre-certified” trafficking victims with benefits and services. SB 5902 mandates that upon a request by either the victim or his or her representative, law enforcement officials must provide the trafficking victims with the United States Citizenship and Immigration Service (USCIS) Form I-914 Supplement B Declaration of Law Enforcement Officer for Victim of Trafficking in Persons. The statute also creates a statewide interagency task force and includes travel service providers who sell travel services for the purpose of prostitution under the Class D felony offense of promotion of prostitution. **Effective Date:** November 1, 2007.

**HB 7670** allows motions to vacate judgment against victims of sex trafficking for certain prostitution offenses. **Effective Date:** August 13, 2010.

**North Carolina:** HB 1896 establishes human trafficking of an adult for involuntary servitude or sexual servitude as a Class F felony and human trafficking of a minor (a person under 18) for involuntary servitude or sexual servitude as a Class C felony. The definition of human trafficking includes recruiting, enticing, harboring, transporting, providing or obtaining a person with the intent to hold that person in involuntary servitude or sexual servitude. HB 1896 creates a Class F felony for knowingly and willfully holding an adult in involuntary servitude or sexual servitude and a Class C felony for knowingly and willfully holding a minor in involuntary servitude or sexual servitude. **Effective Date:** December 1, 2006.

**SB 1079** makes victims of human trafficking who are not legal residents of North Carolina eligible for public benefits as long as they are allowed to remain in the United States under federal law. SB 1079 includes victims of trafficking in the Address Confidentiality Program in the Office of the Attorney General to prevent the victim’s assailants from finding the victim through public records. The Attorney General shall designate agencies of North Carolina and nonprofit organizations that provide counseling and shelter services to assist individuals applying to be program participants. The Attorney General shall determine a victim’s eligibility for state benefits and services within 96 hours of receiving the application. SB 1079 also charges the North Carolina Justice Academy to establish protocols suitable for the training of state and local law enforcement officers. **Effective Date:** December 1, 2007.

**North Dakota:** SB 2209 establishes a Class A felony offense for human trafficking of an adult, and a Class AA felony offense for trafficking of a child. The definition of human trafficking includes both labor trafficking and sex trafficking. SB 2209 requires the person convicted of a human trafficking crime to pay restitution to the victim, and adds human trafficking violations
into definitions of “crime against a child” and “sexual offender.” It also includes human trafficking as one of the offenses under racketeering. **Effective Date:** August 1, 2009.

**Ohio: SB 235** establishes the second degree felony of trafficking in persons for the purpose of involuntary servitude or to compel a person to engage in prostitution or a sexually oriented performance. SB 235 further establishes a third degree felony of unlawful conduct with respect to documents and provides that the court may order a person convicted of the offense of “furtherance of human trafficking” to make restitution to the victim or any survivor of the victim. Moreover, the new law includes trafficking in the state’s conspiracy and wiretapping laws. The statute amends existing abduction and kidnapping offenses to include involuntary servitude and increases the penalty for “compelling prostitution” and establishes a first degree felony for compelling a person under the age of 16. **Effective Date:** March 23, 2011.

**Oklahoma: HB 1021** establishes the felonies of human trafficking for forced labor and human trafficking for forced sexual exploitation, which are punishable by imprisonment for not less than five years, a fine up to $10,000, or both. Trafficking of a minor (person under 14 years of age) is punishable by imprisonment for not less than 10 years, a fine up to $20,000, or both. The statute provides mandatory restitution, an affirmative defense, allows trafficked persons to file civil action suits against the perpetrator(s) for actual and punitive damages, and includes a provision for asset forfeiture. HB 1021 also provides guidelines for victims’ rights and services, including proper shelter, access to legal assistance, translation services and information about their rights, protection from the trafficker and the right to not be jailed or fined due to having been trafficked. **Effective Date:** May 9, 2008.

**SB 2258** amends the existing trafficking law to create a felony offense for unlawful conduct with respect to immigration or identification documents that is punishable by incarceration for not less than one year or by a fine of not less than $1,000 or both. SB 2258 authorizes the Attorney General to establish an emergency hotline number for victims of trafficking and to collaborate with the county departments of health to require the posting of this information in locations determined by the State Department of Health. The statute also amends the existing definition of blackmail to include threatening to reveal a person’s illegal immigration status. **Effective Date:** November 1, 2010.

**Oregon: SB 578** creates the Class B felony of trafficking in persons and involuntary servitude in the first degree, and the Class C felony of involuntary servitude in the second degree. Restitution is available to victims as means of a full, partial or nominal payment of economic damages. Restitution is independent of and may be awarded in addition to a compensatory fine. Irrespective of any criminal prosecution or result thereof, a victim may bring a civil action for damages against a trafficker and can recover special and general damages, including damages for emotional distress and punitive damages. The court shall award reasonable attorney fees to the prevailing plaintiff. **Effective Date:** June, 26, 2007.

**SB 839** amends the Address Confidentiality Program to include victims of human trafficking. The program provides a substitute address to be used by the victim for correspondence and public matters and protects their actual information from public record. **Effective Date:** January 1, 2010.
HB 3623 allows tax exempt nonprofit organizations to provide the Oregon Liquor Control Commission with information materials about human trafficking. Materials are to be included with each license renewal notice sent to businesses that sell alcohol. **Effective Date:** February 23, 2010.

**Pennsylvania:** HB 1112 establishes a second degree felony for trafficking of persons and a first degree felony for trafficking of persons under the age of 18 or if a person suffers bodily injury during the course of being trafficked. Such factors as whether the trafficking offense involved kidnapping, rape or involuntary deviate sexual intercourse are considered in determining the severity of the charge. Additionally, HB 1112 includes a provision for asset forfeiture and provides mandatory restitution to victims of trafficking. **Effective Date:** January 9, 2007.

**Rhode Island:** SB 692 establishes trafficking of persons for forced labor or commercial sexual activity as a felony with a maximum prison sentence of 20 years and/or a maximum fine of $20,000. The statute also establishes involuntary servitude as a felony with a maximum prison sentence of 20 years and/or a fine of not more than $20,000. In cases involving a minor between 17 and 18 years of age, the penalty is increased to 30 years imprisonment and/or $30,000 in fines and for cases involving minors under the age of 17 the penalties are increased to 40 years of imprisonment and $40,000 in fines. SB 692 mandates court ordered victim restitution and the forfeiture of any assets obtained as a result of the involuntary servitude or trafficking offense. **Effective Date:** June 27, 2007.

HB 5661 amends the involuntary servitude offense to include forced labor and establishes sex trafficking of a minor as a felony offense with a penalty of not more than 40 years imprisonment or a fine of up to $40,000.00 or both. A minor is defined as a person under the age of 18 years. Obstruction or an attempt to obstruct the enforcement of this law carries a penalty of not more than 20 years imprisonment, or a fine of up to $20,000.00 or both. HB5661 requires that each state law enforcement agency submit to the Governor, the Attorney General, and the Speaker of the House of Representatives and the President of the Senate a report on the agency’s efforts to enforce this law. HB5661 also creates an interagency human trafficking of persons task force to “examine and report upon the extent of human trafficking for commercial sexual activity” within the state. **Effective Date:** November 4, 2009.

**South Carolina:** HB 3060 establishes human trafficking for forced labor or services as a felony punishable by imprisonment for not more than 15 years. The definition of human trafficking includes recruiting, enticing, harboring, transporting, providing or obtaining another person knowing that person will be subjected to forced labor or services. HB 3060 includes a provision stating that the law does not apply to labor or services performed or provided by a person in the custody of the Department of Corrections or a local jail, detention center or correctional facility. **Effective Date:** May 2, 2006.

HB 4202 amends the trafficking in persons offense by making it a Class A felony and providing a mandatory minimum penalty of five years’ incarceration and increasing the maximum penalty to 30 years. HB 4202 amends existing code pertaining to registration of sex offenders to include trafficking of persons and adds it to the violent crime definition. **Effective Date:** June 11, 2010.
South Dakota: SB 176 establishes a Class 4 felony offense for human trafficking in the second degree, which states that no person may recruit, harbor, transport, provide or obtain another person knowing that force, fraud or coercion will be used to cause the person to engage in prostitution, forced labor or involuntary servitude, nor may any person benefit financially or by receiving anything of value from participation in a venture that has engaged in the given acts. If these acts involve kidnapping, a victim under the age of 16, or prostitution, or if they result in the death of the victim, the guilty person has committed human trafficking in the first degree, a Class 2 felony. Effective Date: July 1, 2011.

Tennessee: HB 71 establishes a Class C felony offense for involuntary servitude and trafficking for forced labor or services, and a Class B felony for trafficking for sexual servitude and for involuntary servitude if a victim was held in servitude for longer than one year, suffered “serious bodily injury or death” or if there were more than 10 victims. The statute also mandates restitution for victims and allows for a corporation to be prosecuted under this section if an agent of the corporation acts within his employment capacity and on behalf of the corporation and such action was sanctioned by the corporation or was part of a pattern of illegal activity. Effective Date: July 1, 2007.

HB 171 revises the existing law to add human trafficking as one of the criminal offenses where property is subject to judicial forfeiture. HB 171 requires that the proceeds from all forfeitures related to the offense of human trafficking, minus that of the cost to cover the forfeiture proceeding, be used to establish an anti-trafficking fund. The statute requires that the General Assembly appropriate monies from the anti-trafficking fund to the Department of Finance and Administration for the Department to administer grants to agencies or organizations to provide services for victims of trafficking, conduct programs for prevention of human trafficking or conduct education, training or public outreach about human trafficking. Effective Date: July 1, 2011.

Texas: HB 2096 establishes the first degree felony of trafficking or transporting of persons who are younger than 14 at the time of the offense or if the commission of the offense results in the death of the person who is trafficked. Otherwise, the offense is a second degree felony. According to the Texas Criminal Justice Policy Council, the punishment range for a first degree felony offense is five to 99 years imprisonment; the range for a second degree felony offense is two to 20 years imprisonment. Effective Date: September 1, 2003.

SB 1288 requires that a defendant in a common nuisance suit that is “required to execute the bond” and is a “hotel, motel, or similar establishments that rent overnight lodging to the public,” must post in each lodging unit information pertaining to human trafficking that contains an “operating toll-free telephone number of a nationally recognized information and referral hotline for victims of human trafficking.” The statute requires that the information be prominently displayed near the room rate information. Effective Date: June 15, 2007.

SB 1287 requires that a holder of a permit or license under Chapter 25, 26, 28, 32, 69 or 71 of the Alcoholic Beverage Code, post a sign with a warning about the illegality of “obtaining forced labor or services,” and the phone number for the national human trafficking hotline. The statute contains specific requirements for posting the sign, such as size, placement and which languages must be used. Effective Date: September 1, 2007.
HB 1121 ensures that the judge presiding over a human trafficking trial must make an affirmative finding of fact that the victim was subject to a severe form of trafficking and suffered substantial physical and mental abuse; the judge must enter the finding in the court papers. The affirmative finding of fact must include specific information identifying the victim as available during the trial, may not include information identifying the victim’s location, and must ensure that the finding of fact is confidential, unless released by written consent by the adult victim or by a parent/guardian if the victim is less than 18 years of age. HB 1121 also amends the definitions of “forced labor or services” and “traffic” under Section 20A.01 of the Penal Code, as well as the description of trafficking offenses. Under HB 1121, if the defendant in a trafficking case is a hotel or motel, it must post a notice with an operating toll-free number for a nationally recognized hotline for trafficking victims in each of the lodging units on the premises that are subject of the suit; the notice must be posted in a conspicuous place, near the room rate information. HB 1121 requires the Texas Attorney General, in consultation with the Health and Human Services Commission, to prepare and issue a report, no later than September 1, 2008, outlining the success of existing laws and rules addressing the needs of trafficked persons and recommending areas of improvement and modification. The report also must outline the success of existing social service programs to address the needs of trafficked persons, the interplay of existing programs with federally funded victim service programs, and must recommend areas of improvement and modification. **Effective Date:** June 15, 2007.

HB 533 creates a civil liability clause in the Texas code to allow victims to bring a civil action against the perpetrator regardless of whether that person “has been acquitted, or has not been prosecuted or convicted...or has been convicted of a different offense.” The victim has the right to sue for actual damages, court and attorney costs. **Effective Date:** June 18, 2009.

SB 24 revises Texas’s existing definitions for the offense of trafficking of persons. The new statute defines a child as a person younger than 18 years of age; amends the definition of “forced labor or services” to include the use of force, fraud or coercion; and creates a separate definition of “sexual conduct” apart from “forced labor or services.” The trafficking in persons offense now includes: trafficking through force, fraud or coercion for the purpose of prostitution, promotion of prostitution, aggravated promotion of prostitution or compelling prostitution; trafficking of a child for forced labor or services; and trafficking of a child for purposes that include inter alia prostitution, sexual assault and sexual performance of a child. SB 24 criminalizes benefitting from participating in any activity described in these offenses. **Effective Date:** September 1, 2011.

HB 289 expands the definition of “common nuisance” to include four new criminal offenses, including trafficking of persons. A suit to enjoin and abate a common nuisance may be brought by an individual, by the Attorney General, or by a district, county or city attorney. **Effective Date:** September 1, 2011.

HB 2014 amends the Texas Code of Criminal Procedures related to the offense of trafficking of persons, provides mandatory restitution for trafficking victims under the age of 18, provides for asset forfeiture for the offense of trafficking in persons, revises the Alcoholic Beverage Code and includes new reporting requirements on cases of trafficking of persons. HB 2014 provides an enhanced penalty for the offense of the “sale or purchase of child” if the intent is to commit the offense of trafficking of persons. HB 2014 amends the Code of Criminal
Procedures to include the offense of trafficking of a person younger than the age of 14 to engage in sexual conduct, or benefitting from participation in such a venture, as one of the violations listed under the section “Denial Of Bail For Violation Of Condition Of Bond Where Child Alleged Victim.” Similarly, this offense is included under the section that governs community supervision. The new statute revises the Alcoholic Beverage Code to include the offense of trafficking of persons as grounds for the commission or administrator to refuse to issue a permit or license for a location to serve alcohol and it is added to the violations that preclude a “permittee or licensee to pay a civil penalty rather than have the permit or license suspended.” Finally, the new law requires that as part of the official monthly report submitted to the Office of Court Administration of the Texas Judicial System, a district or county court must report the number of cases for the offense of trafficking of persons, prostitution and compelling prostitution. Additionally, trafficking of persons is included as one of the offenses that the Bureau of Identification and Records must collect information about, including reported and known cases. **Effective Date:** September 1, 2011.

**HB 2329** allows a victim of trafficking in persons, or a parent or guardian acting on behalf of a victim younger than 18 years of age, to apply for a protective order. Also, the victim may elect to use a pseudonym to designate the victim on all public files and records concerning the offense. The Office of the Attorney General is required to develop and distribute to all law enforcement agencies of the state a pseudonym form to record the name, address, telephone number and pseudonym of the victim. The new law outlines law enforcement’s duties associated with the application of a pseudonym and makes it a Class C misdemeanor for a public servant to knowingly disclose the name, address or phone number of the victim who has chosen a pseudonym, unless the disclosure is to any person assisting the investigation or prosecution of the offense, to the defendant or the defendant’s attorney or required or permitted by other law. Addresses for shelters that house victims of trafficking or provide services are kept confidential in appraisal records. **Effective Date:** September 1, 2011.

**HB 3000** establishes a first degree felony offense for continuous trafficking of persons, which is punishable by imprisonment for life or for any term not more than 99 years or less than 25 years. Continuous trafficking of persons is defined as a “person who engages two or more times in conduct that constitutes” trafficking of persons during a “period that is 30 or more days in duration.” **Effective Date:** September 1, 2011.

**Utah: HB 339** establishes a second degree felony offense for human trafficking for forced labor or forced sexual exploitation, and a third degree felony of human smuggling. The bill further establishes first degree felony offenses for aggravated human trafficking for forced labor or forced sexual exploitation, if in the course of committing either of these offenses the result is death, serious bodily injury, or involves forcible sexual assault or rape of the victim or the victim is a minor (under the age of 18). Also considered is the duration that a victim is held and the number of victims involved in a “single episode of human trafficking.” A first degree felony offense of aggravated human smuggling is also established if the victim is a minor under the age of 18 years and is not accompanied by a family member older than 18 years of age. **Effective Date:** March 18, 2008.

**HB 230** amends Utah’s existing law to make it a separate offense for each person who is trafficked or smuggled. **Effective Date:** May 11, 2010.
**SB 159** modifies the Utah code of criminal procedure regarding sex offender and kidnapping registration by adding conviction of the offense of aggravated human trafficking as a kidnap offense subject to registration. **Effective Date:** May 10, 2011.

**Vermont:** HB 153 creates the crime of human trafficking, which states that no person may recruit, entice, harbor, transport, provide, or obtain another person knowing that force, fraud or coercion will be used to compel that person to engage in a commercial sex act or labor servitude, nor may any person benefit financially or by receiving anything of value from participation in a venture that has engaged in the given acts. The penalty for human trafficking includes imprisonment for a term up to and including life, a fine of not more than $500,000.00, or both. If these acts involve a victim under the age of 18, the crime of sexual assault, a person who has previously been convicted for human trafficking, or if they result in serious bodily injury or death of the victim, the offense is elevated to aggravated human trafficking that carries the penalty of imprisonment of not less than 20 years and a maximum term of life, a fine of not more than $100,000.00, or both. HB 153 allows victims of trafficking to bring a civil action against their trafficker(s), provides restitution for victims, as well as an affirmative defense for “victims of sex trafficking” facing the criminal charges of “lewdness and prostitution” or “obscenity.” Moreover, it includes provisions for asset forfeiture and corporate liability, as well as amends the existing code pertaining to registration of sex offenders to include human trafficking and aggravated human trafficking. The new statute provides guidelines for classification of victims by law enforcement, including notifying the victim’s compensation program that such person may be eligible for services and providing and assisting victims of trafficking with the appropriate immigration forms. HB 153 requires the Department of Labor to develop and disseminate a notice that provides resources to help victims of trafficking, including information about the National Human Trafficking Resource Center Hotline and contact information for at least one local law enforcement agency. This notice shall be accessible on the Department’s official website and may be posted in workplaces. Furthermore, the Department of Labor is charged with developing and implementing a plan to educate employers in the state on the issue of trafficking and about the resources available to employers, employees and victims of trafficking. The Department must report its progress on developing the notice and plan to the House and Senate Committees on Judiciary, the House Committee on Human Services, and the Senate Committee on Health and Welfare on or before January 15, 2013. Finally, HB 153 allows the Vermont Center for Crime Victim Services to convene a task force to assist key government and nongovernmental stakeholders to develop a statewide protocol for provision of services for victims of trafficking. **Effective Date:** July 1, 2011.

**Virginia:** HB 2190 requires that the Department of Social Services develop a plan for the delivery of services to victims of human trafficking. The plan should include inter alia, strategies to identify victims, assistance with applying for federal and state benefits, coordination of delivery of services, and development and dissemination of educational and training materials to increase awareness of services available to victims of human trafficking among local departments of social services, public and private agencies and service providers, and the public. In development of the plan, the Department shall work together with other state and federal agencies, public and private entities and other stakeholders. **Effective Date:** July 1, 2011.

**SB 1453** expands the duties of the Virginia Department of Criminal Justice Services, under the direction of the Criminal Justice Services Board, to require that the Department
collaborate with the Office of the Attorney General to advise law enforcement agencies and attorneys for the state on identification, investigation and prosecution of human trafficking offenses using existing state laws. **Effective Date:** July 1, 2011.

**Washington: HB 1175** establishes the class A felony offenses of first and second degree sex trafficking and labor trafficking in the state of Washington. Under standard sentencing guidelines, a first degree offense carries a maximum punishment of 14 years in prison; in the second degree, the maximum sentence is nine years. Such factors as the age of the victim and whether the victim was kidnapped or killed are considered in determining the severity of the charge. Victims of trafficking also may sue for damages and for the cost of bringing the suit; the court may also levy a civil fine of up to $250,000. **Effective Date:** July 27, 2003.

**SB 6339** amends an existing statute to include trafficked persons among those who are eligible for the address confidentiality program, thus allowing the victim or his or her guardian to request the Secretary of State not to disclose the victim’s address for reason that disclosure may increase the risk of being located by the perpetrator. The application, including a sworn statement that the victim fears for his or her personal safety and that of their family, will be certified for four years, unless withdrawn or invalidated prior to that date. **Effective Date:** April 2, 2008.

**SB 5850** requires any employer of foreign workers to provide a disclosure statement to the worker detailing any fees and charges owed to the employer for recruitment, and information of state benefits and rights to which the worker is entitled. The disclosure must state that the worker has a right to control his or her travel and labor documents, and provide a list of services the worker may utilize if they believe they are a victim of trafficking. The bill also requires the Office of Crime Victims Advocacy (OCVA) to provide information on recognizing victims of trafficking to commissions and boards licensing medical care providers. **Effective Date:** July 26, 2009.

**SB 6330** permits the Washington Department of Transportation to post informational materials about human trafficking in rest areas. SB 6330 allows the Department to work with trafficking victim advocates to develop posters that may be in a variety of languages and include the toll-free hotline number to the National Human Trafficking Resource Center and the state’s office of crime victims advocacy. **Effective Date:** June 10, 2010.

**SB 6332** amends Washington’s existing law governing international labor recruiters and domestic employers of foreign workers to modify the definition of “foreign worker” and “worker” to include those “who hold a nonimmigrant visa for temporary visitors.” Under SB 6332 employers of foreign workers and international labor recruitment agencies are not required to provide a disclosure statement to foreign workers who have received an informational pamphlet developed under the federal William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008. SB 6332 provides a foreign worker with the right of private action against any domestic employer or international labor recruitment agency that failed to provide a disclosure statement with the requisite information. Furthermore, the Department Labor and Industries shall create informational posters and brochures aimed at assisting victims of trafficking. **Effective Date:** June 10, 2010.
SB 6476 entails new provisions related to sex crimes involving minors including a provision that presumes any person under the age of 18 arrested for prostitution or prostitution loitering meets the criteria for a certification as a victim of a severe form of trafficking in persons. **Effective Date:** July 1, 2011.

SB 5546 amends the crime of human trafficking to add “transfers,” “receives” and “commercial sex act” to the existing offense and provides definitions for “commercial sex acts,” “forced labor,” “involuntary servitude” and “serious harm.” It expands the definition of benefitting financially or by receiving anything of value to include “illegal harvesting or sale of human organs” to the list of acts or ventures associated with the given act. SB 5546 adds the crime of human trafficking in the first or second degree to the list of offenses where the defendant found guilty is to be detained until sentencing. Additionally, it is added to the offenses where an appeal by a convicted defendant cannot stay execution of the judgment of conviction. **Effective Date:** July 22, 2011.

SB 5482 authorizes the Affordable Housing for All Account to include victims of human trafficking and their families as one of its principal constituents it is charged with assisting in providing housing and shelter. **Effective Date:** July 22, 2011.

**Washington, DC:** LB 70 creates a criminal offense for forced labor, trafficking in labor or commercial sex acts and sex trafficking in children. Each offense carries a penalty of incarceration for not more than 20 years, a fine of not more than $200,000 or both. Additional offenses created by LB 70 include benefitting financially from human trafficking and unlawful conduct with respect to documents in furtherance of human trafficking. LB 70 includes a provision for asset forfeiture, provides the victim with a private right of action, and expands eligibility under the *Victims of Violent Crime Compensation Act of 1996* to include victims of trafficking. The statute mandates that the District collects data on human trafficking, including number of investigations, arrests, prosecutions and convictions, as well as trafficking patterns and demographic characteristics of both the victims and the offenders. These data are to be compiled into a report and published not less than once every 36 months. **Effective Date:** October 23, 2010.

**Wisconsin:** SB 292 establishes a Class D felony offense for human trafficking for forced labor or forced sexual exploitation, and a Class C felony offense for trafficking of a child for purposes of commercial sex acts or sexually explicit performances. In the case of trafficking for forced sexual exploitation, a court may order the defendant to pay a fine of no more than $10,000 or restitution equaling costs of necessary transportation, housing and child care, any expenses incurred by the victim in relocating for personal safety, or the income or value of the wages gained by the perpetrator from the victim. The bill provides an affirmative defense, and allows “any person who incurs an injury or death” to file civil action suits against the perpetrator(s) for actual and punitive damages. Emergency services and assistance are to be provided to the victim for a total of 60 days if the victim is not cooperating with law enforcement or from the time of identification until 60 days after the trial if the victim is cooperating. **Effective Date:** March 19, 2008.
Statewide Interagency Task Forces on Human Trafficking

State task forces have been established by statute in California, Colorado, Connecticut, Florida, Hawaii, Maine, Massachusetts, New Hampshire, New Mexico, New York, Rhode Island, Texas Vermont, Virginia and Washington. Idaho passed a resolution to authorize the creation of a legislative committee to study human trafficking in that state. Iowa has authorized a study for the 2006 legislative interim on human trafficking. Minnesota’s Commissioner of Public Safety is required by statute to conduct an annual trafficking study and submit a report of the findings to the legislature. Ohio recommended that the Attorney General create a Trafficking in Persons Study Commission. Pennsylvania created an advisory committee on human trafficking and Tennessee has directed the Select Committee on Children and Youth to conduct a study on human sex trafficking. Louisiana adopted a resolution to call on public agencies and private institutions to collaborate on the Human Trafficking of Minors Study Group. In addition, advocacy efforts are underway in several states – led by state women’s organizations, violence against women programs and providers, and anti-trafficking groups – to study the nature and extent of trafficking in the state and make policy recommendations.

California: SB 180 establishes the California Alliance to Combat Trafficking and Slavery (California ACTS) Task Force, an interagency task force charged with evaluating various programs available to victims of trafficking and various criminal statutes addressing human trafficking. Responsibilities include collecting and analyzing data on trafficking into the state, evaluating the effectiveness of prevention and prosecution efforts, and examining collaborative models between government and non-governmental organizations for protecting trafficking victims. The task force members include the Attorney General, members of the legislature, government and law enforcement agencies, as well as representatives from non-governmental organizations and service providers. The task force is required to submit a report of its findings to the legislature, Governor, and Attorney General by July 1, 2007. Effective Date: September 21, 2005.

Prior to passage of SB 180, California took a different approach which can be effective in other states as well. In 2004, at the request of Assemblywoman Sally Lieber, Assembly Speaker Fabian Nunez created the Select Committee on Human Trafficking in California, which held informational hearings in the state that were co-sponsored by the California Commission on the Status of Women, the California Women’s Law Center and the California Women’s Legislative Caucus.

Colorado: HB 1143 creates an interagency task force on trafficking in persons to: collect and organize data on the nature and extent of trafficking in the state; investigate collaborative models for protecting victims; measure and evaluate the progress of the state in preventing trafficking, protecting victims and prosecuting traffickers; identify available federal, state and local programs that provide services to victims; evaluate approaches to increase public awareness of trafficking; analyze existing criminal statutes for their adequacy in addressing trafficking and make recommendations; and consult with governmental and non-governmental organizations in developing recommendations. The task force is required to report its findings and recommendations to the Judiciary Committees of the House and Senate by January 15, 2007. Effective Date: April 5, 2005.
Connecticut: HB 5358 establishes an interagency task force on trafficking in persons to: collect data on the nature of trafficking in the state and evaluate the state’s progress on trafficking; identify available federal, state and local programs that provide services to trafficking victims; evaluate approaches to increase public awareness of trafficking; analyze and make recommendations regarding existing state criminal statutes’ ability to address trafficking; and make recommendations on preventing trafficking, assisting victims, and prosecuting traffickers. The task force is required to report its findings and recommendations to the General Assembly by January 1, 2006. Effective Date: October 1, 2004.

SB 398 creates an interagency Trafficking in Persons Council within the Permanent Commission on the Status of Women. The Council will hold meetings at least three times per year to track updates and progress, to identify the criteria for providing services to adult trafficking victims and their children, to consult with governmental and nongovernmental organizations in developing recommendations to strengthen state and local anti-trafficking efforts, and to protect and assist victims of trafficking and prosecute traffickers. The Council must submit its report, including recommendations for legislation, to the General Assembly no later than January 1, 2008. Effective Date: June 11, 2007.

Florida: SB 168 creates the Florida Statewide Task Force on Human Trafficking. The bill defines the task force membership, members’ duties, and requires it to develop an implementation strategy for a Statewide Strategic Plan on human trafficking in conjunction with the Florida State University Center for the Advancement of Human Rights by October 1, 2010. Effective Date: June 1, 2009.

Hawaii: HB 2051 establishes a task force to review laws and information from other states regarding support for victims of human trafficking and to recommend changes to Hawaii law and programs that assist in prevention and provide support to victims. The task force is charged with developing protocols and training related to providing services for trafficking victims and interagency procedures to collect and organize data. The task force also will assess the need for victim protection and assistance services, consult with governmental and nongovernmental organizations, seek federal grants for such task-force related activities as personnel, training, services and programs. HB 2051 requires the task force to report to the state legislature at least 20 days prior to the 2007 and 2008 regular sessions. Effective Date: July 1, 2006.

SR 144 charges the Department of Human Services with conducting a “statewide needs assessment of non-citizen victims of human trafficking.” SR 144 requires that the Department of Human Services collaborate with Hawaii’s statewide interagency task force on human trafficking to study the best way to prevent and combat human trafficking, identify existing barriers that deny or minimize access to benefits for non-citizen victims of human trafficking and identify appropriate social services for victims of human trafficking. Effective Date: April 12, 2007.

HB 2772 extends the end date of the anti-trafficking task force through June 30, 2010 and expands its membership to include representatives of the state public defender, the Immigration Information Office, the Crime Victim Compensation Commission, the Office of the Gender Equity Counselor at the University of Hawaii, the Hawaii State Coalition Against Domestic Violence, and representatives of contractors working under the Office of Refugee Resettlement
of the U.S. Department of Health and Human Services and under the U.S. Conference of Catholic Bishops. **Effective Date:** June 29, 2008.

**Idaho:** HCR 18 authorizes the Legislative Council to appoint a legislative committee to complete a study on human trafficking. The co-chairs of the committee will appoint non-legislative members of the committee. The committee shall: collect data and present findings on the nature and extent of human trafficking in Idaho; identify available federal, state and local programs that provide services to victims; analyze and make recommendations regarding the ability of existing criminal statutes to address trafficking; and make recommendations regarding the prevention of trafficking, the prosecution of offenses and victim assistance. The committee is required to report its findings and recommendations to the legislature, the Governor, and the Idaho Supreme Court by January 1, 2006. **Adopted:** April 1, 2005.

**Iowa:** SF 2219 requests legislative council authorization for a legislative interim study on human trafficking. The study recommendations and findings shall include, but are not limited to, identifying the needs of human trafficking victims and law enforcement and any other agencies that serve victims of human trafficking. A study report must be submitted for consideration during the 2007 legislative session. **Effective Date:** July 1, 2006.

**Louisiana:** SCR 58 calls on public agencies and private institutions to collaborate on the *Human Trafficking of Minors Study Group* to study and make recommendations to the legislature on how to eliminate human trafficking of minors in the state. SCR 58 outlines the Study Group’s membership and duties, including examining state and federal legislation related to trafficking of minors, obtaining input from youths who have been trafficked and behavioral health providers, and making recommendations for revision of current laws and provision of services for all victims of trafficking. The Study Group must submit their report with their findings and recommendations to the Governor and legislature by February 1, 2012. **Effective Date:** June 23, 2011.

**Maine:** LD 1296 establishes a task force to review laws and legislation from other states and make recommendations for statutory language to criminalize human trafficking. The task force is charged with identifying federal, state and local programs that provide victim services and recommending methods to coordinate these services. The task force also is responsible for researching and evaluating approaches to increase public awareness of human trafficking. The task force must submit a report with its findings and recommendations no later than November 30, 2006. **Effective Date:** April 28, 2006.

**Massachusetts:** HB 3808 establishes an interagency task force to address all aspects of human trafficking. The new statute provides guidelines for membership and duties of the task force that include, inter alia: coordinate the collection and sharing of data among government agencies; review and recommend policies and procedures to enable state government to work with nongovernmental and community organizations to prevent trafficking and protect and provide assistance to victims; identify and review existing services available to victims; and evaluate approaches to increase public awareness of trafficking. The task force is required to submit a report of its findings and recommendations to the clerks of the Senate and the House of Representatives not later than 18 months after the effective date of HB 3808. **Effective Date:** February 21, 2011.
**Minnesota:** HF 1 appropriates money for an annual statewide human trafficking assessment, which will be led by the Commissioner of the Department of Public Safety with the assistance of government agencies and nongovernmental organizations. The study will include: the numbers of arrests, prosecutions and successful convictions of traffickers; statistics on the number of trafficking victims, including demographics, method of recruitment and method of discovery; trafficking routes and patterns; method of transportation; and social factors that contribute to and foster trafficking, especially trafficking of women and children. The Commissioner must submit the first report to the Legislature by September 1, 2006. **Effective Date:** July 1, 2005.

**New Hampshire:** SB 194 establishes the *Statewide Interagency Commission on Human Trafficking*. The Commission is charged with analyzing the adequacy of existing criminal legislation to address human trafficking and making recommendations for revising these criminal statutes or creating new ones; working with law enforcement personnel to develop methodologies for collecting data on human trafficking; identifying available federal, state and local programs that provide services to trafficking victims; and evaluating approaches to increase public awareness of trafficking. The Commission must report its findings and recommendations to the President of the Senate, the Speaker of the House, the Senate Clerk, the House Clerk, the Governor and the state library on or before November 1, 2008. **Effective Date:** June 11, 2007.

**New Mexico:** SB 71 establishes an interagency task force to: examine the extent of human trafficking in the state; monitor and evaluate the implementation of 2008 trafficking criminalization law; make recommendations on how to strengthen anti-trafficking efforts to prevent trafficking, prosecute violators and protect victims; develop and conduct training for law enforcement personnel and victim service providers on how to identify victims; and implement an awareness campaign. The task force is required to submit an annual report of its findings and recommendations to the Governor and the legislature. **Effective Date:** July 1, 2008.

**New York:** SB 5902 establishes an interagency task force on human trafficking to: examine the extent of human trafficking in the state; identify federal, state and local programs that provide services to trafficking victims; establish “protocols and collaboration” among federal, state and local law enforcement, state agencies and NGOs; evaluate approaches to increase public awareness of trafficking, and evaluate the effectiveness of “training programs on human trafficking that have been designed for law enforcement personnel, criminal defense attorneys, social service providers, and NGOs.” The task force is required to report its findings and recommendations to the Governor and the legislature by November 1, 2008. **Effective Date:** November 1, 2007.

**AB 6800** extends the interagency task force on human trafficking for two years, until September 1, 2013. **Effective Date:** May 17, 2011.

**Ohio:** HB 280 recommends that the Attorney General create a *Trafficking in Persons Study Commission* to examine the scope of the problem within the state, review current criminal laws and how they are applied to human trafficking offenses and make recommendations on how to address the problem. In July 2009, the Attorney General convened the first meeting of the Trafficking in Persons Study Commission whose members included representatives from the General Assembly, law enforcement community, State agencies and community-based organizations. **Effective Date:** April 7, 2009.
Pennsylvania: SR 253 creates an advisory committee to examine the issue of human trafficking. Within two years of the adoption of SR 253, the advisory committee must submit a report to the Senate that includes a proposed state plan for the prevention of human trafficking, as well as recommendations to strengthen efforts to protect and assist victims of trafficking and prosecute offenders. SR 253 provides that members must include representatives from governmental agencies and nongovernmental organizations, especially those specializing in human trafficking and working with communities vulnerable to trafficking. Effective Date: April 20, 2010.

Rhode Island: HB 5661 creates an interagency human trafficking of persons task force to “examine and report upon the extent of human trafficking for commercial sexual activity” within the state. The task force is required to report its findings and recommendations to the Governor, the Attorney General, the Speaker of the House of Representatives and the President of the Senate on or before December 31, 2010. Effective Date: November 4, 2009.

HB 8291 creates a house commission to examine the issue of human trafficking and to develop strategies to ensure that human trafficking victims, as well as “any person who is a victim of commercial sexual activity,” are identified and afforded government services and assistance. The commission must report its findings to the General Assembly before March 2, 2011. Effective Date: June 10, 2010.

Tennessee: SB 1751 directs the Select Committee on Children and Youth to conduct a study on human sex trafficking. The Select Committee is tasked to: collect and organize data on the nature and extent of human sex trafficking in the state; investigate collaborative models for protecting victims; measure and evaluate the progress of the state in preventing human sex trafficking; identify available federal, state and local programs that provide services to victims; evaluate approaches to increase public awareness; analyze existing criminal statutes for their adequacy in addressing human sex trafficking and make recommendations; and consult with governmental and non-governmental organizations in developing recommendations. The Select Committee must report its findings and recommendations to the Judiciary Committees of the House of Representatives and the Senate no later than March 1, 2011. Effective Date: June 9, 2010.

Texas: HB 4009 establishes the Human Trafficking Prevention Task Force. The statute specifies organizations that must be represented on the task force and mandates the task force to submit a report on December 1st of each even-numbered year regarding its activities and findings. HB 4009 provides trafficking victims with an affirmative defense to prosecution for a violation of the prostitution law. The statute establishes victim assistance programs for domestic trafficking victims that include a database of assistance programs, training curriculum for law enforcement and a grant program for public organizations to provide services for domestic victims. HB 4009 creates the trafficking of persons investigation and prosecution account to distribute grants to counties for investigation and prosecution efforts and to non-governmental organizations for victim services and outreach efforts. Effective Date: September 9, 2009.

HB 1930 expands the membership of the Human Trafficking Task Force to include the commissioner of the Department of State Health Services and revises the duties of the Task Force to include an examination of the “extent to which human trafficking is associated with the operation of sexually oriented businesses… and the workplace or public health concerns created” by such an association. Effective Date: September 1, 2011.
HCR 68 requests that the Lieutenant Governor and the Speaker of the House of Representatives create a joint interim committee to study the problem of human trafficking in the state and to submit a full report to the 83rd Texas Legislature when it convenes in January 2013. **Effective Date:** June 17, 2011.

**Vermont:** SB 272 creates an interagency human trafficking task force for the purpose of “raising public awareness…identifying resources for the victims…recommending to the public ways to identify and report acts of human trafficking.” SB 272 outlines the task force membership, members’ duties, and the state agencies and community organizations with whom the task force must consult, including representatives of the human rights commission, health care professionals and migrant workers and labor advocacy groups. The task force reports its findings and recommendations to the members of the Senate and House judiciary, the Senate committee on health and welfare, the House committee on human services and to the Legislative Council on or before November 15, 2010. On or before January 15, 2011, the task force must report its findings and recommendations to the General Assembly and the Governor. SB 272 also establishes a law enforcement advisory board. **Effective Date:** April 27, 2010.

**Virginia:** HB 2923 establishes the *Commission on the Prevention of Human Trafficking*. The Commission is charged with: developing and coordinating the implementation of a *State Plan for the Prevention of Human Trafficking*; collaborating with state, local and federal agencies to improve the collection and sharing of data on human trafficking within the state; recommending policies to facilitate effective collaboration between state agencies, the community, business and industry, and public and private entities to prevent human trafficking; identifying available federal, state and local programs that provide services to trafficking victims; and making recommendations on methods to provide a coordinated system of support and assistance to victims of trafficking. The Commission must submit an annual report to the Governor and the General Assembly no later than the first day of each regular session of the General Assembly. **Effective Date:** July 1, 2007.

**Washington:** HB 2381 created the *Washington State Task Force Against the Trafficking of Persons* in 2002 to: measure and evaluate the progress of the state in trafficking prevention activities; identify available federal, state and local programs that provide services to victims of trafficking; and make recommendations on methods to provide a coordinated system of support and assistance to victims of trafficking. **Effective Date:** June 13, 2002. The Task Force expired on March 1, 2003 but was extended until June 30, 2004 (HB 1090). **Effective Date:** May 14, 2003.

**HR 4707** recognizes and honors the Office of Crime Victims Advocacy and the *Washington State Task Force Against the Trafficking of Persons* for its accomplishments in leading the country in taking action against human trafficking. **Adopted:** March 4, 2004.
International Marriage Brokers/International Matchmaking Organizations (IMOs)  
Regulation of “Bride Trafficking” by Commercial Enterprises  
Legislatures in Hawaii, Maryland, Missouri, New Jersey, Texas and Washington have passed laws to regulate “international matchmaking organizations” (IMOs) that operate in the state. 

Hawaii: HB 135 allows persons living abroad who use for-profit matchmaking services to gain access to criminal conviction and marital history information from prospective spouses residing in the United States (“clients”). Each IMO must notify all foreign women (“recruits”) in their native language that criminal history records and marital history information about any Hawaii resident is available upon request. The IMO also must disseminate this information upon request in the recruit’s native language and refrain from providing any further services that facilitate interaction between the recruit and the client until the information has been submitted to the IMO. The punishment for a violation of the law is a fine of up to $500 and up to 30 days imprisonment. 
**Effective Date:** January 1, 2004.

HB 2050 expands upon Hawaii’s current law by including abuse orders of protection issued against a Hawaii resident as information that must be disclosed by a Hawaii resident as part of the resident's marital history information in dealings with international matchmaking organizations. 
**Effective Date:** January 1, 2007.

Maryland: HB 65 requires that International Marriage Brokers (IMBs) that operate in the USA and provide services to Maryland residents must provide each foreign “recruit” with the criminal history record information and marital history information of the IMB’s “client,” as well as basic rights information in the recruit’s native language. The recruit must receive all of the requisite information about the client and provide written consent before the IMB may supply the client with the recruit’s “personal contact” information. HB 65 specifies the type of information that must be included as part of the client’s marital history, criminal history and the basic rights information, as well as the manner in which the information should be displayed. A violation of this law is a misdemeanor punishable by imprisonment not to exceed more than one year, a fine not to exceed $12,000 or both. 
**Effective Date:** October 1, 2010.

Missouri: HB 353 requires IMOs to notify each potential recruit that the criminal history information and marital history information of clients are available, upon request, in the recruit’s own language. Basic rights information - including information about human rights, immigration, emergency assistance and resources, and the legal rights of and resources for victims of domestic violence - also must be made available to recruits. The IMO must distribute this information no later than 30 days after receiving it, and IMOs that fail to provide the information or willfully provide incomplete or false information are guilty of a class D felony. 
**Effective Date:** August 28, 2005.

New Jersey: AB 1942 requires that present and prospective owners and employees of international labor matching organizations or international matchmaking organizations be certified by the Division of Consumer Affairs as qualified to own or work for such an enterprise. The Division must run criminal history record background checks on present and prospective owners and employees; those with convictions for criminal offenses are disqualified. The disqualifying criminal offenses include, inter alia: homicide, kidnapping, assault, human trafficking, sexual assault, prostitution and drug possession. 
**Effective Date:**
international labor matching organizations or international matchmaking organizations undergo a criminal history record background check at their own expense. “Upon receipt of a request for information from a recruit,” the organization is prohibited from providing any services until the client has submitted a complete transcript of any criminal history record. International matchmaking organizations must provide recruits with basic information about domestic violence, along with phone numbers for the statewide and national domestic violence hotlines. **Effective date:** December 1, 2010.

**Texas:** [HB 177](http://www.capitol.texas.gov/billinfo/billsummary.aspx?BillNumber=HB177&Year=2003) requires IMOs to provide each foreign recruit with the criminal history record information and marital history information of the IMO’s clients and with basic rights information in the recruit’s native language. The IMO must disseminate this information no later than the 30th day after the date it receives the information from the client and must pay the costs incurred to translate this information into the recruit’s native language. The IMO may not provide any further services to the client or recruit until it has obtained the requested information from the client and provided it to the recruit. An IMO that violates the law is subject to a civil penalty not to exceed $20,000 for each violation. **Effective Date:** September 1, 2003.

**Washington:** [SB 6412](http://app.leg.wa.gov/billsummary?BillNumber=SB6412&Year=2002) requires IMOs to provide information to foreign women, upon request, on state background checks and personal histories of Washington residents seeking to meet foreign women (potential recruits). The IMO must notify all potential recruits that background check and personal history information is available upon request. Once the resident is notified of the recruit’s request for background information, the IMO must refrain from providing any further services that facilitate future interaction between the recruit and the resident until the IMO has obtained the requested information from the resident. **Effective Date:** September 1, 2002. The language of the bill was slightly amended in 2003 ([HB 1826](http://app.leg.wa.gov/billsummary?BillNumber=HB1826&Year=2003)). **Effective Date:** July 27, 2003.
Regulating Travel Services Providers that Facilitate Sex Tourism
Legislatures in Alaska, Hawaii, Missouri, New York and Washington have enacted laws making it a state felony offense to knowingly sell or offer to sell travel services that include or facilitate travel for the purpose of engaging in prostitution.

Alaska: SB 12 expands the crime of promoting prostitution in the second degree to include any person who offers, sells, advertises, promotes or facilitates travel that includes commercial sexual conduct, defined as sexual conduct in exchange for anything of value, as enticement for travel. Effective Date: July 1, 2006.

Hawaii: HB 2020 makes it a class C felony to knowingly sell or offer to sell travel services that include or facilitate travel for the purpose of engaging in prostitution. It authorizes the suspension or revocation of travel agency registration for engaging in these acts. The bill emphasizes that prostitution and sex tourism contribute to the trafficking of persons, and seeks to discourage sex tourism as a way to reduce the demand for sex trafficking. Effective Date: May 19, 2004.

Missouri: HB 1698 makes it a class C felony to knowingly sell or offer to sell travel services that include or facilitate travel for the purpose of engaging in prostitution. It authorizes the revocation of the articles of incorporation, as well as the freezing of bank and deposit accounts. Effective Date: June 6, 2006.

New York: SB 5902 expands the crime of promoting prostitution in the third degree to include travel service providers who knowingly sell travel services that facilitate prostitution. Promoting prostitution is a Class D felony. Effective Date: November 1, 2007.

Washington: SB 6731 makes it a class C felony to knowingly sell or offer to sell travel services that include or facilitate travel for the purpose of engaging in prostitution. Sellers of travel are prohibited from promoting or advertising travel services for the purpose of engaging in a commercial sex act. Effective Date: June 7, 2006.
Sponsors

Criminalization and/or Victim Protections and Services Statutes

Alabama

HB 432 Sponsors: Representatives Williams (J), Coleman, Todd, Hilliard, McClurkin, Ison, Gipson, England, Ball, Allen, Hubbard, Love, Galliher, Hill, Ward, Canfield, Hall, Moore (P), Drake, Clouse, McClendon, Mask, Faust and Williams (P).

Alaska


Arizona


Related bill HB 2539 Sponsors: Representatives Paton, Alvarez, J. Burns, Farnsworth, Lopez, McClure, Pearce, Rosati, Biggs, Gallardo, Hershberger, Meza, Pierce, Sinema, Tully; Senator Bee.


SB 1281 Sponsor: Senator Paton

SB 1059 Sponsor: Senator Paton.

Related bill HB 2673 Sponsors: Representatives Sinema, Cajero, Bedford, Driggs, Lujan, Patterson, Ableser, Antenori, Ash, Biggs, Campbell CH, Campbell CL, Schapira, Williams.

Arkansas

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ACR 28 Sponsors: Assembly Member Ma, Senator Padilla.

AB 1278 Sponsors: Assembly Members: Lieber, Ma and Smyth.

Senator Romero.

AB 2810 Sponsors: Assembly Member Brownley.

Senator Romero.

AB 17 Sponsor: Assembly Member Swanson.
SB 657 Sponsor: Senator Steinberg.
Assembly Members Perez, J. Brownley and Saldana.
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AB 12 Sponsors: Assembly Members Swanson, Blumenfield, Dickinson, Halderman, Jeffries, Bonnie Lowenthal, Portantino.
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AB 90 Sponsor: Assembly Member Swanson.
AB 764 Sponsor: Assembly Member Swanson.
SB 557 Sponsor: Senator Kehoe.

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HB 200 Sponsors: Representatives Lindsey, Golick, Houston, Oliver, Willard, Manning.

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Hawaii
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HR 162 Sponsors: Representatives Lee, Mizuno, Rhoads, Shimabukuro, Yamane, Ching, Evans, Green, Nishimoto, Pine, Saiki, Sonson, Souki, Waters.

Idaho

Illinois

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Representatives Mathias, Froehlich, Chavez, Bailey, Delgado, Franks, LaVia, Soto.


SB 133 Sponsors: Senators Dillard, Millner, Cullerton.

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Indiana

**HB 1155 Sponsors:** Representatives Budak, Bardon, Smith, Ulmer. Senators J. Simpson, Becker, Long, Zakas, Steele, Landske, Wyss, Drozda, Broden, Miller, Bray, Mrvan.

**HB 1414** (amendment to **HB 1155**) **Sponsors:** Representatives Austin, Lawson, Ruppel, Ulmer, L., Lanane, Simpson, Long, Delph, Zakas, Kruse, Steele, Landske, Wyss.

**HB 1386 Sponsors:** Representatives Lawson, Welch, Ulmer, Foley; Senators Bray, Steele, Zakas.

Iowa

**SF 2219 Sponsors:** Senators Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraize, Hancock, Horn, Larson, McKibben, Quirmbach, Schoenjahn, Tinsman, Ward, Warmstadt, Zaun.

**SB 2027** (amendment to **SF 2219**) **Sponsors:** Senators By Tinsman, Boettger, Brunkhorst, Mulder, Hahn, Kettering, Miller, Seymour, Zieman, Iverson, Lundby, Putney, Ward, McKinley, Johnson, Ragan.

**SB 27 Sponsor:** Judiciary Committee.

Kansas

**SB 72 Sponsor:** Senator Journey.

**SB 151** (amendment to **SB 72**) **Sponsor:** Senator Jordan.

Related bill **HB 2004 Sponsor:** Representative Ju. Morrison.

**SB 353 Sponsor:** Senator Schmidt, D.

**HB 2339 Sponsor:** Appropriations Committee.

Kentucky

**SB 43 Sponsors:** Senators Boswell, Blevins Jr, Clark, Harper Angel, Rhoads, Roeding, Scorsone, Shaughnnessy, Westwood.

Louisiana


Senator Broome filed the motion to vote on the House bill in the Senate.

**HB 531 Sponsors:** Representative Abramson.

**HB 825 Sponsors:** Representatives Abramson, Baldone, Barrow, Billiot, Brossett, Carter, Connick, Dixon, Foil, Greene, Guillory, Hines, Hutter, Jackson, M., Johnson, Leger, Lorusso, Norton, Richardson, Richmond, Roy, Gary Smith, Patricia Smith, St. Germain, Stiaes, Thibaut, Hierry, White, Williams.

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HB 1505 Sponsor: Representatives Paymar, Simon, Kahn, Hornstein.

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LB 842 (amendment to LB 1086) Sponsors: Senators Stuhr, Brown, Combs, Fischer, Flood, Hudkins, McDonald, Price, Redfield, Schimek, Thompson.

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Related bill **SB 2032** Sponsor: Senator Margolis.

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Wisconsin


Statewide Interagency Task Forces on Human Trafficking

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Hawaii

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**Contacts:** Representatives Boe, Pasley-Stuart, Miller, Field, Wills.

Iowa

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Pennsylvania


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Washington

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HR 4707 Sponsor: Representative Veloria.
International Marriage Brokers/International Matchmaking Organizations (IMOs)

Hawaii


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Companion bill **SB 2142 Sponsors:** Senators Chun, Oakland, Fukunaga.

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**SB 437** (amendment to **HB 353**) **Sponsor:** Senator Bray.

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Related bill **SB 1813 Sponsors:** Senators Sarlo, Baroni.

Texas

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Washington

**SB 6412 Sponsors:** Senators Kohl-Welles, Costa, Prentice, Winsley, Long, Keiser, Benton.

Related bill **HB 2667 Sponsors:** Representatives Veloria, Darneille, Haigh, Delvin, Tokuda, Chase, Santos.

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Companion bill **SB 5532 Sponsors:** Senators Kohl-Welles, Benton, Fraser, Prentice, Carlson, Keiser, Winsley, Schmidt.
Regulating Travel Services Providers that Facilitate Sex Tourism

Alaska

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Hawaii


Companion bill **SB 2227 Sponsors:** Senators Chun Oakland, Baker, Fukunaga, Kim.

Missouri

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**HB 1362 (amendment to HB 1698) Sponsor:** Representative Cooper.

**HB 1290 (amendment to HB 1698) Sponsors:** Representatives Schaaf, Lembke, Kingery, Sutherland, Tilley.

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Washington

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