

**SENATE SUMMARY OF HOUSE AMENDMENTS**

**SB 306**

**2024 Regular Session**

**Cathey**

**KEYWORD AND SUMMARY AS RETURNED TO THE SENATE**

CRIME/PUNISHMENT. Increases the penalty for human trafficking involving sexual activity of persons under the age of eighteen. (8/1/24)

**SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL**

1. Provide that victims have an affirmative defense to crimes committed as a direct result of being trafficked.

**DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE**

**DIGEST**

SB 306 Reengrossed

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Present law provides that human trafficking is when any person knowingly recruits, harbors, transports, provides, solicits, receives, isolates, entices, obtains, patronizes, procures, purchases, holds, restrains, induces, threatens, subjects, or maintains the use of another person through fraud, force, or coercion to provide services or labor.

Present law provides that human trafficking is when any person knowingly recruits, harbors, transports, provides, solicits, sells, purchases, patronizes, procures, holds, restrains, induces, threatens, subjects, receives, isolates, entices, obtains, or maintains the use of a person under the age of twenty-one years for the purpose of engaging in commercial sexual activity regardless of whether the person was recruited, harbored, transported, provided, solicited, sold, purchased, received, isolated, enticed, obtained, or maintained through fraud, force, or coercion.

Proposed law provides that to knowingly sell the use of another person through fraud, force, or coercion to provide services or labor of someone for a purpose other than engaging in commercial sexual activity is human trafficking.

Present law provides victims of human trafficking with an affirmative defense to prosecution for certain crimes related to human trafficking.

Proposed law provides victims of human trafficking with an affirmative defense to prosecution for any offense committed as a direct result of being trafficked.

Present law provides graduated penalties based on the ages of victims and whether they are trafficked for commercial sexual activity.

Proposed law provides an increase in the penalty for trafficking persons under the age of 18 for commercial sexual activity from a fine not to exceed \$50,000, imprisonment at hard labor for not less than 15 years, nor more than 50 years, or both to a fine not to exceed \$75,000 and life imprisonment at hard labor without the possibility of probation or parole.

Proposed law otherwise retains present law.

Effective August 1, 2024.

(Amends R.S. 14:46.2(A)(1)(a), (B)(2), and (F)(1), and 46.3(D))

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