

**SENATE SUMMARY OF HOUSE AMENDMENTS**

**SB 90**

**2016 Regular Session**

**Johns**

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

CRIME/PUNISHMENT. Expands crime of human trafficking to specific elements regarding trafficking of persons under the age of twenty-one engaged in commercial sexual activity. (8/1/16)

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

1. Prohibits the trafficking of persons under the age of 21 years for the purpose of engaging in commercial sexual activity regardless of whether the offender used force, fraud, or coercion; to provide that it shall not be a defense to prosecution that the offender did not know the age of the victim or that the victim consented to the prohibited activity; and to provide penalties for offenders who commit this particular offense.
2. Requires persons convicted of human trafficking of a person under the age of 21 years to register and provide notification as a sex offender.
3. Deletes changes to the present law crime of trafficking of children for sexual purposes (R.S. 14:46.3).
4. Makes technical corrections by removing other provisions from the bill that are no longer necessary due to other amendments.

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

DIGEST

SB 90 Reengrossed

2016 Regular Session

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Present law provides for the crime of human trafficking (R.S. 14:46.2) and provides penalties for commission of the offense. Present law provides that it is human trafficking for any person to knowingly recruit, harbor, transport, provide, solicit, receive, isolate, entice, obtain, or maintain the use of another person through fraud, force, or coercion to provide services or labor.

Proposed law provides that the crime of human trafficking includes when a person knowingly recruits, harbors, transports, provides, solicits, sells, purchases, receives, isolates, entices, obtains, or maintains the use of a person under the age of 21 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 it is not a defense to prosecution that the person did not know the age of the victim or that the victim consented to the prohibited activity.

Proposed law requires violators to be fined up to \$50,000, imprisoned at hard labor for 15 to 50 years, or both.

Present law requires persons convicted of human trafficking to register and provide notification as a sex offender if the offenses involves a person under the age of 18 years or when the trafficking is for services that include commercial sexual activity or any sexual conduct constituting a crime under the laws of this state.

Proposed law requires registration as a sex offender and notification by those persons convicted of human trafficking whose offense involved a victim who was 18, 19, or 20 years of age.

Effective August 1, 2016.

(Amends R.S. 14:46.2(A)(1) and (B)(2) and R.S. 15:541(2)(o) and (12)(b))

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