

2014 -- H 7916

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LC005092
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO CRIMINAL OFFENSES - TRAFFICKING OF PERSONS AND
INVOLUNTARY SERVITUDE

Introduced By: Representatives Costa, Shekarchi, Craven, Casey, and Canario

Date Introduced: March 12, 2014

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-67-6 of the General Laws in Chapter 11-67 entitled "Trafficking
2 of Persons and Involuntary Servitude" is hereby amended to read as follows:

3 **11-67-6. Sex trafficking of a minor.** -- (a) Definitions. - As used in this section:

4 (1) "Commercial sex act" means any sex act or sexually explicit performance on account
5 of which anything of value is given, promised to, or received, directly or indirectly, by any
6 person.

7 (2) "Minor" refers to any natural person under eighteen (18) years of age.

8 (3) "Person" includes an individual, corporation, partnership, association, a government
9 body, a municipal corporation, or any other legal entity.

10 (4) "Sex act" means sexual intercourse, cunnilingus, fellatio, anal intercourse, and digital
11 intrusion or intrusion by any object into the genital opening or anal opening of another person's
12 body or the stimulation by hand of another's genitals for the purposes of arousing or gratifying the
13 sexual desire of either person.

14 (5) "Sexually-explicit performance" means an act or show, intended to arouse, satisfy the
15 sexual desires of, or appeal to the prurient interests of patrons or viewers, whether public or
16 private, live, photographed, recorded, or videotaped.

17 (b) Any person who:

18 (1) Recruits, employs, entices, solicits, isolates, harbors, transports, provides, persuades,

1 obtains, or maintains, or so attempts, any minor for the purposes of commercial sex acts; or

2 (2) Sells or purchases a minor for the purposes of commercial sex acts; or

3 (3) Benefits, financially or by receiving anything of value, from participation in a
4 venture which has engaged in an act described in subdivision (1) or (2); or

5 (c) Every person who shall commit sex trafficking of a minor, shall be guilty of a felony
6 and subject to not more than ~~forty (40)~~ fifty (50) years imprisonment or a fine of up to forty
7 thousand dollars (\$40,000), or both.

8 (d) Obstructs, or attempts to obstruct, or in any way interferes with or prevents the
9 enforcement of this section shall be guilty of a felony and subject to not more than ~~twenty (20)~~
10 thirty-five (35) years imprisonment, or a fine of up to ~~twenty thousand dollars (\$20,000)~~ forty
11 thousand dollars (\$40,000), or both.

12 (e) In a prosecution under this section, the government need not prove that the defendant
13 knew the victim's age.

14 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act increases the penalties for sex trafficking of a minor from forty (40) years
2 imprisonment to fifty (50) years imprisonment and also increases the penalties for obstruction or
3 interference with enforcement of sex trafficking laws from twenty (20) years imprisonment to
4 thirty-five (35) years imprisonment and the fine from twenty thousand dollars (\$20,000) to forty
5 thousand dollars (\$40,000).

6 This act would take effect upon passage.

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