

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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**Action:** Do Pass as Amended and Be Printed Engrossed

**Vote:** 5 - 0 - 0

**Yeas:** Close, Dingfelder, Kruse, Roblan, Prozanski

**Nays:** 0

**Exc.:** 0

**Prepared By:** Mike Schmidt, Counsel

**Meeting Dates:** 3/26, 4/18

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**WHAT THE MEASURE DOES:** Modifies the crime of patronizing a prostitute when the prostitute is a minor. Requires penalty of 30 days jail sentence for first conviction of patronizing a prostitute who is a minor, and gives judge discretion to make offender register as sex offender. Requires 90 day jail sentence for second conviction and requires that offender register as sex offender. Requires presumptive prison sentence and treatment as Class C felony with crime seriousness score of eight, for third conviction. . Makes prior convictions for prostitution count as one person crimes when calculating criminal history score using sentencing guidelines. Modifies crime of trafficking in persons by creating different felony classifications for benefiting financially from trafficking and knowing that another person will be subjected to involuntary servitude – Class B felony; and knowing that a person will be coerced into commercial sex acts by force or fraud and disregarding the fact that trafficked person is a minor – Class A felony. Includes these crimes under the “rape shield” laws for evidentiary purposes. Allows application by prosecuting attorney for use of technology to intercept wire, oral, or electronic communication investigation of these crimes. Allows victims of these crimes to apply to court for restitution awards, and to criminal victims’ compensation fund for covering of certain related expenses. Includes these crimes under definition of crimes covered by racketeering statute. Includes these crimes in definition of sex crimes, making these offenses for which registration is required. Adds these crimes to definition of sexual exploitation. Gives the Department of Public Safety Standards and Training (DPSST) the ability to require advanced training in sex trafficking. Declares emergency, effective upon passage.

**ISSUES DISCUSSED:**

- The intention is to make the second offense a felony when Senate Bill 673 A gets over to the House, rather than a misdemeanor with a presumptive 90 days jail

**EFFECT OF COMMITTEE AMENDMENT:** Makes conviction of patronizing a prostitute who is a minor carry mandatory penalty of 30 days for the first conviction and gives the judge the discretion to make the offender register as a sex offender. The second conviction is requires a 90 day jail sentence and requires that the offender register as a sex offender. The third conviction is a Class C felony with crime seriousness score of eight, which will be accompanied by a presumptive prison sentence. Gives DPSST the ability to require advanced training in sex trafficking.

**BACKGROUND:** Minor victims of trafficking crimes need greater protection. The various changes proposed in this bill will strengthen the prosecutor’s ability to investigate and prosecute these crimes. It will create greater punishment for those engaged in the trafficking of other human beings, especially minors. Often offenders of this type of crime are very worried about anyone finding out that they engage in this type of behavior. Making these crimes for which registration is required will provide added deterrence for those considering patronizing a minor prostitute.