



HB0210

Minor sex traffic victims-liability.

Sponsored By: Representative(s) Bear, Andrew, Barlow, Brown, Burt, Connolly, Duncan, Fortner, Hallinan, Haroldson, Jennings, Knapp, Laursen, Neiman and Ottman and Senator(s) Biteman, French and McKeown

AN ACT relating to human trafficking; specifying requirements for arrest and conviction of minors engaged in commercial sex acts; providing that a minor charged as a result of engaging in a commercial sex act is rebuttably presumed to be a victim of human sex trafficking; providing that a minor who engages in any commercial sex act is a neglected child in need of supervision; amending a definition; and providing for an effective date.

3/2/2021 Bill Number Assigned
3/4/2021 H Received for Introduction
3/5/2021 H Introduced and Referred to H01 - Judiciary
3/19/2021 H01 - Judiciary:Recommend Amend and Do Pass 5-4-0-0-0

ROLL CALL

Ayes: Representative(s) Crago, Laursen, Olsen, Rodriguez-Williams, Zwonitzer

Nays: Representative(s) Oakley, Provenza, Washut, Yin

Ayes 5 **Nays** 4 **Excused** 0 **Absent** 0 **Conflicts** 0

3/19/2021 H Placed on General File

HB0210HS001/ADOPTED

Page 1-line 5 Delete "an abused child" and insert "a neglected child and a child in need of supervision".

Page 2-line 12 Delete "an abused" and insert "a neglected".

Page 2-line 16 After "Act" insert ". "; strike "or a neglected child in".

Page 2-line 17 Strike entirely. OLSEN, CHAIRMAN

HB0210HW001/ADOPTED

Page 1-lines 1 through 6 Delete entirely including the House standing committee amendment to these lines (HB0210HS001/A) and insert:

"AN ACT relating to human trafficking; specifying requirements for arrest and conviction of minors engaged in commercial sex acts; providing that a minor charged as a result of engaging in a commercial sex act is rebuttably presumed to be a victim of human sex trafficking; providing that a minor who engages in any commercial sex act is a neglected child in need of supervision; amending a definition; and providing for an effective date."

Page 1-line 10 Delete ", 6-4-101".

Page 2-lines 5 through 9 Delete all new language and insert "A minor who engages in a commercial sex act:

(i) Shall not be subject to arrest or prosecution for violating W.S. 6-4-101 or other criminal acts as a result of engaging in the commercial

sex act unless there is probable cause to believe that the minor was not subject to coercion and was not providing forced services when engaging in the act;

(ii) Shall be rebuttably presumed to be a victim of human trafficking in any criminal charge as a result of engaging in the commercial sex act, regardless of whether any other person is identified or prosecuted as a result of engaging in the commercial sex act. The presumption shall be overcome only by establishing beyond a reasonable doubt that the minor was not subject to coercion and was not providing forced services when engaging in the commercial sex act."

Page 2-lines 19 through 23 Delete entirely.

Page 3-lines 1 through 6 Delete entirely. BEAR

3/22/2021 H COW:Passed
3/23/2021 H 2nd Reading:Passed
3/24/2021 H 3rd Reading:Passed 59-1-0-0-0

ROLL CALL

Ayes: Representative(s) Andrew, Baker, Banks, Barlow, Bear, Blackburn, Brown, Burkhart, Burt, Clausen, Clifford, Connolly, Crago, Duncan, Eklund, Eyre, Flitner, Fortner, Greear, Hallinan, Haroldson, Harshman, Heiner, Henderson, Hunt, Jennings, Kinner, Knapp, Larsen, L, Laursen, D, Macguire, Martinez, Neiman, Newsome, Nicholas, Oakley, Obermueller, O'hearn, Olsen, Ottman, Paxton, Provenza, Roscoe, Schwartz, Sherwood, Simpson, Sommers, Stith, Styvar, Sweeney, Walters, Washut, Western, Wharff, Williams, Wilson, Winter, Yin, Zwonitzer

Nays: Representative Gray

Ayes 59 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 0

3/25/2021 S Received for Introduction
3/26/2021 S Introduced and Referred to S01 - Judiciary
3/31/2021 S01 - Judiciary:Do Pass Failed 1-4-0-0-0

ROLL CALL

Ayes: Senator French

Nays: Senator(s) Cooper, Kolb, Kost, Nethercott

Ayes 1 **Nays** 4 **Excused** 0 **Absent** 0 **Conflicts** 0

4/1/2021 S No report prior to CoW Cutoff
4/7/2021 S:Died in Committee Returned Bill Pursuant to SR 5-4