



2005 ASSEMBLY BILL 463

June 7, 2005 – Introduced by Representatives KESSLER, GRIGSBY, SINICKI, KRAWCZYK, ALBERS, OTT, LEHMAN, SHERIDAN, MOLEPSKE, BERCEAU, PETROWSKI, FIELDS, POCAN and HAHN, cosponsored by Senators PLALE, GROTHMAN, WIRCH, A LASEE and ROESSLER. Referred to Committee on Criminal Justice and Homeland Security.

1 **AN ACT** *to renumber* 940.30; *to amend* 940.30 (title); and *to create* 940.30 (2)
2 of the statutes; **relating to:** forced labor and human trafficking and providing
3 a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from intentionally confining or restraining another person without the other person's consent if the person knows that he or she has no lawful authority for confining or restraining the other person. Whoever violates this prohibition is guilty of a felony and may be fined up to \$10,000 or sentenced to a term of imprisonment of up to six years (which, if the sentence is for more than one year, includes a term of extended supervision) or both.

This bill prohibits a person from transporting, soliciting, recruiting, harboring, providing, or obtaining another person for profit (human trafficking), from using people for forced labor or services, or from knowingly benefiting from human trafficking or forced labor or services. A person who violates one of these prohibitions is guilty of a felony and may be fined up to \$25,000 or sentenced to a term of imprisonment not to exceed ten years (which, if the sentence is for more than one year, includes a term of extended supervision) or both.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 940.30 (title) of the statutes is amended to read:

2 **940.30 (title) False imprisonment and human trafficking.**

3 **SECTION 2.** 940.30 of the statutes is renumbered 940.30 (1).

4 **SECTION 3.** 940.30 (2) of the statutes is created to read:

5 940.30 (2) (a) In this subsection:

6 1. “Forced labor or services” means labor or services obtained from a person by
7 causing or threatening to cause bodily harm to that person or another person, by
8 confining or threatening to confine that person or another person without the
9 person’s consent and with the knowledge that he or she has no lawful authority to
10 do so, by withholding from another person that person’s government records,
11 identification, or personal property, or by threatening deportation to that person or
12 another person.

13 2. “Human trafficking” means transporting, soliciting, recruiting, harboring,
14 providing, or obtaining another person for profit.

15 (b) Whoever knowingly engages in human trafficking or uses people for forced
16 labor or services is guilty of a Class G felony.

17 (c) Whoever benefits from a violation specified under par. (b) is guilty of a Class
18 G felony if the person knows or should know that the benefits come from human
19 trafficking or forced labor or services.

20 **SECTION 4. Initial applicability.**

