

2007-2008 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-2066/P2ins  
CMH&CTS:wlj:pg

1 Insert 2-14

2 **SECTION ~~1~~** 48.355 (2d) (a) 2. of the statutes is renumbered 48.355 (2d) (a) 2.  
3 (intro.) and amended to read:

4 48.355 (2d) (a) 2. (intro.) "Sexual abuse" means ~~a~~ any of the following:

5 a. A violation of s. 940.225, 944.30, 948.02, 948.025, 948.05, ~~948.051~~, 948.055,  
6 948.06, 948.085, 948.09 or 948.10 ~~or a.~~

7 c. A violation of the law of any other state or federal law if that violation would  
8 be a violation of s. ~~940.225, 944.30, 948.02, 948.025, 948.05, 948.055, 948.06,~~  
9 948.085, 948.09 or 948.10 listed under subd. 2. a. or b. if committed in this state.

History: 1977 c. 354; 1979 c. 295, 300, 359; 1983 a. 27, 102, 399, 538; 1985 a. 29; 1987 a. 27, 339, 383; 1989 a. 31, 41, 86, 107, 121, 359; 1991 a. 39; 1993 a. 98, 334, 377, 385, 395, 446, 481, 491; 1995 a. 27, 77, 201, 225, 275; 1997 a. 27, 205, 237, 292; 1999 a. 9, 103, 149, 186; 2001 a. 2, 16, 109; 2005 a. 277.

10 **SECTION ~~2~~** 48.355 (2d) (a) 2. b. of the statutes is created to read:

11 48.355 (2d) (a) 2. b. A violation of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies.

12

13 Insert 2-17

14 Not trafficking in violation of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies,

15

16 Insert 3-10

17 **SECTION ~~3~~** 48.415 (9m) (b) 2. of the statutes is renumbered 48.415 (9m) (b) 2.  
18 a. and amended to read:

19 48.415 (9m) (b) 2. a. The commission of a violation of s. 940.19 (3), 1999 stats.,  
20 a violation of s. 940.19 (2), (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025,  
21 948.03 (2) (a) or (3) (a), 948.05, 948.051, 948.06 or 948.08, or a violation of s. 940.302  
22 (2) if s. 940.302 (2) (a) 1. b. applies.

1           **b.** A violation of the law of any other state or federal law, if that violation would  
2 be a violation of ~~s. 940.19 (2), (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025,~~  
3 ~~948.03 (2) (a) or (3) (a), 948.05, 948.06 or 948.08~~ listed under subd. 2. a. if committed  
4 in this state.

History: 1979 c. 330; 1983 a. 189 s. 329 (5); 1983 a. 326; 1983 a. 447 ss. 8, 67; 1983 a. 488, 538; 1987 a. 355, 383; 1989 a. 86; 1993 a. 235, 395; 1995 a. 77, 108, 225, 275; 1997 a. 35, 80, 237, 292, 294; 1999 a. 9, 32; 2001 a. 2, 109; 2005 a. 277, 293.

5  
6           Insert 3-14


7 

, a violation of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies,

8  
9           Insert 4-12

10           **SECTION 4.** 48.685 (1) (c) of the statutes is renumbered 48.685 (1) (c) (intro.) and  
11 amended to read:

12           48.685 (1) (c) (intro.) "Serious crime" means ~~a~~ any of the following:

13           1. A violation of s. 940.19 (3), 1999 stats., ~~a~~ 

14           2. A violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (4), (5) or  
15 (6), 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1)  
16 or (2), 948.025, 948.03 (2), 948.05, 948.051, 948.055, 948.06, 948.07, 948.08, 948.085,  
17 948.11 (2) (a) or (am), 948.12, 948.13, 948.21 (1), 948.30, or 948.53 ~~or a.~~

18           4. A violation of the law of any other state or United States jurisdiction that  
19 would be a violation of ~~s. 940.19 (3), 1999 stats., or a violation of s. 940.01, 940.02,~~  
20 ~~940.03, 940.05, 940.12, 940.19 (2), (4), (5) or (6), 940.22 (2) or (3), 940.225 (1), (2) or~~  
21 ~~(3), 940.285 (2), 940.29, 940.295, 948.02 (1) or (2), 948.025, 948.03 (2), 948.05,~~  
22 ~~948.055, 948.06, 948.07, 948.08, 948.085, 948.11 (2) (a) or (am), 948.12, 948.13,~~  
23 948.21 (1), 948.30, or 948.53 listed in subd. 1., 2., or 3. if committed in this state.

NOTE: NOTE: Par. (c) is shown as affected by two acts of the 2005 Wisconsin legislature and as merged by the revisor under s. 13.93 (2) (c). NOTE:

History: 1997 a. 27, 237, 281; 1999 a. 9, 32, 56, 185, 186; 2001 a. 109; 2003 a. 321; 2005 a. 149, 184, 277; s. 13.93 (2) (c).

1           **SECTION ~~5~~** 48.685 (1) (c) 3. of the statutes is created to read:

2           48.685 (1) (c) 3. A violation of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies.

3

4           Insert 5-1

5           (Not)

of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies,

6

7           Insert 7-1

8           **SECTION ~~6~~** 250.04 (14) of the statutes is created to read:

9           250.04 (14) Subject to the availability of funds, the department may provide

10          or fund emergency services or assistance to victims of s. 940.302 (2) or 948.051.

11

12          Insert 7-15

13          (Not)

of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies,

14

15          Insert 8-1

16          **SECTION ~~7~~** 343.12 (7) (c) 11m. of the statutes is created to read:

17          343.12 (7) (c) 11m. Trafficking under s. 940.302 (2) if s. 940.302 (2) (a) 1. b.

18          applies.

19

20          Insert 8-18

21          (Not)

of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies,

22


23          Insert 9-7

24          (Not)

or of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies


25

1 Insert 9-16


2  or under s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies

3

4 Insert 12-24


5  a crime under s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies,

6 Insert 14-13

7  of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies,


8

9 Insert 16-19

10  of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies,

11

12 Insert 17-4

13  a conviction under s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies,

14

**Hanaman, Cathlene**

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**From:** Mike Murray - WCASA [mikem@wcasa.org]  
**Sent:** Monday, June 11, 2007 11:51 AM  
**To:** Hanaman, Cathlene  
**Subject:** RE:

Hi Cathlene,

Just an FYI, there is a typo I found in the trafficking bill. It on p.12, line 15. The word "know" should be "knows."

Also, I'm going over the draft w/Kessler and Grothman this week. Hopefully they OK and we can move forward! It all looks good to me.

Thanks again for all of your help!!

Mike

Mike Murray  
Policy Specialist  
Wisconsin Coalition Against Sexual Assault, Inc.  
600 Williamson St. Suite N-2  
Madison, Wisconsin 53703  
(608) 257-1516 office  
(608) 335-6253 cell  
(608) 257-2150 fax  
mikem@wcasa.org

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**From:** Mike Murray - WCASA  
**Sent:** Monday, June 04, 2007 1:23 PM  
**To:** 'Hanaman, Cathlene'  
**Subject:** RE:

Hi Cathlene,

I'd prefer not to b/c by the time they get restitution it's going to be pretty far down the road.

Mike

Mike Murray  
Policy Specialist  
Wisconsin Coalition Against Sexual Assault, Inc.  
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mikem@wcasa.org

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**From:** Hanaman, Cathlene [mailto:Cathlene.Hanaman@legis.wisconsin.gov]  
**Sent:** Friday, June 01, 2007 1:18 PM  
**To:** Mike Murray - WCASA  
**Subject:** RE:

06/14/2007

Okay, now do you want any interaction between restitution and the funds that DHFS may provide to the victim?

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**From:** Mike Murray - WCASA [mailto:mikem@wcasa.org]  
**Sent:** Thursday, May 31, 2007 5:13 PM  
**To:** Hanaman, Cathlene  
**Subject:** RE:

Hi Cathlene,

I checked my notes and I think I made an error. I told you not to add the reference to sec. 39, but to add it to sec. 51. I think that you should add it to BOTH. Let me know if you think that is a problem.

Sorry about that and thanks for your help.

Mike

Mike Murray  
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mikem@wcasa.org

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**From:** Hanaman, Cathlene [mailto:Cathlene.Hanaman@legis.wisconsin.gov]  
**Sent:** Thursday, May 31, 2007 4:55 PM  
**To:** Mike Murray - WCASA  
**Subject:**

I did not add the x-ref to s. 973.176 (3) (Section 51 of the bill) although my notes say to. I did not because my notes did not say to add it to s. 948.13. Is that okay or are my notes problematic?

-C

## Hanaman, Cathlene

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**From:** Mike Murray - WCASA [mikem@wcasa.org]  
**Sent:** Wednesday, June 13, 2007 2:54 PM  
**To:** Hanaman, Cathlene  
**Subject:** trafficking draft

Hi Cathlene,

I finally met w/Kessler and Grothman about the most recent draft. Grothman wants there to be two changes (sorry, I couldn't convince him otherwise):

1. for the public benefits part, only make victims eligible for the benefits for 60 days if they aren't cooperating w/law enforcement or if they are cooperating w/a law enforcement investigation and prosecution, however long that process goes on for plus 60 days after disposition.
2. for the statute of limitations part for child trafficking, neither of them liked putting it w/the other child sexual assault laws b/c they thought it was too long, so they wanted to toll the statute of limitations until the victim turns 18, which would then leave 6 years to prosecute after they turn 18 b/c it's a felony.

Sorry this is taking so long. They seemed fine w/the rest of it, so hopefully this is the last change! Thanks for your patience and help w/this, I really appreciate it.

If you have any questions, feel free to call or email me.

Mike

Mike Murray  
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06/15/2007



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRB-2066/P3  
CMH&CTS:wlj:pg

FRIDAY

↑  
stays

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Reyen car

1 AN ACT *to renumber* 179.72; *to renumber and amend* 48.355 (2d) (a) 2., 48.415  
2 (9m) (b) 2. and 48.685 (1) (c); *to amend* 48.371 (3) (d), 48.417 (1) (d), 50.065 (1)  
3 (e) 2., 51.20 (13) (ct) 2m., 301.048 (2) (bm) 1. a., 301.45 (1d) (b), 302.045 (2) (c),  
4 302.05 (3) (a) 1., 440.982 (2), 901.04 (3) (c), 938.34 (15m) (bm), 939.615 (1) (b)  
5 1., 939.62 (2m) (a) 1m. a., 939.632 (1) (e) 1., 939.74 (2) (c), 946.82 (4), 948.13 (1)  
6 (a), 949.03 (1) (b), 969.08 (10) (b), 970.03 (4) (a), 971.17 (1m) (b) 2m., 971.31 (11),  
7 972.11 (2) (b) (intro.), 973.01 (3g), 973.01 (3m), 973.0135 (1) (b) 2., 973.017 (6)  
8 (b), 973.048 (2m), 973.176 (3) and 973.20 (4m); and *to create* 16.964 (1) (gm),  
9 48.355 (2d) (a) 2. b., 48.685 (1) (c) 3., 178.27 (3), 178.45 (1m), 179.72 (2), 179.86  
10 (3), 180.1420 (6), 180.1530 (1) (g), 181.1420 (7), 181.1530 (1) (g), 250.04 (14),  
11 343.12 (7) (c) 11m., 343.12 (7) (c) 15m., 939.46 (1m), 940.302, 948.051 and  
12 973.20 (4o) of the statutes; **relating to:** human trafficking and providing a  
13 penalty.

***Analysis by the Legislative Reference Bureau***

This is a preliminary draft. An analysis will be provided in a later version.



*Analysis man* → 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.

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

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

1           **SECTION 1.** 16.964 (1) (gm) of the statutes is created to read:

2           16.964 (1) (gm) Collect data relating to the number and nature of violations of  
3           ss. 940.302 (2) and 948.051 and publish statistics relating to the violations. The data  
4           shall include all of the following:

5           1. Numbers of investigations, arrests, prosecutions, and convictions of persons.

6           2. Demographics of victims, including nationality, age, method of recruitment,  
7           and country, state, or city of origin.

8           **SECTION 2.** 48.355 (2d) (a) 2. of the statutes is renumbered 48.355 (2d) (a) 2.  
9           (intro.) and amended to read:

10           48.355 (2d) (a) 2. (intro.) "Sexual abuse" means ~~a~~ any of the following:

11           a. A violation of s. 940.225, 944.30, 948.02, 948.025, 948.05, 948.051, 948.055,  
12           948.06, 948.085, 948.09 or 948.10 or a.

13           c. A violation of the law of any other state or federal law if that violation would  
14           be a violation of s. 940.225, 944.30, 948.02, 948.025, 948.05, 948.055, 948.06,  
15           948.085, 948.09 or 948.10 listed under subd. 2. a. or b. if committed in this state.

16           **SECTION 3.** 48.355 (2d) (a) 2. b. of the statutes is created to read:

17           48.355 (2d) (a) 2. b. A violation of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies.

18           **SECTION 4.** 48.371 (3) (d) of the statutes is amended to read:

1           48.371 (3) (d) Any involvement of the child, whether as victim or perpetrator,  
2           in sexual intercourse or sexual contact in violation of s. 940.225, 948.02, 948.025, or  
3           948.085, prostitution in violation of s. 944.30, trafficking in violation of s. 940.302 (2)  
4           if s. 940.302 (2) (a). 1. b. applies, sexual exploitation of a child in violation of s. 948.05,  
5           trafficking of a child in violation of s. 948.051, or causing a child to view or listen to  
6           sexual activity in violation of s. 948.055, if the information is necessary for the care  
7           of the child or for the protection of any person living in the foster home, treatment  
8           foster home, group home, or residential care center for children and youth.

9           **SECTION 5.** 48.415 (9m) (b) 2. of the statutes is renumbered 48.415 (9m) (b) 2.  
10          a. and amended to read:

11           48.415 (9m) (b) 2. a. The commission of a violation of s. 940.19 (3), 1999 stats.,  
12          a violation of s. 940.19 (2), (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025,  
13          948.03 (2) (a) or (3) (a), 948.05, 948.051, 948.06 or 948.08, or a violation of s. 940.302  
14          (2) if s. 940.302 (2) (a) 1. b. applies.

15           b. A violation of the law of any other state or federal law, if that violation would  
16          be a violation of s. 940.19 (2), (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025,  
17          948.03 (2) (a) or (3) (a), 948.05, 948.06 or 948.08 listed under subd. 2. a. if committed  
18          in this state.

19          **SECTION 6.** 48.417 (1) (d) of the statutes is amended to read:

20           48.417 (1) (d) A court of competent jurisdiction has found that the parent has  
21          committed a violation of s. 940.19 (3), 1999 stats., a violation of s. 940.19 (2), (4), or  
22          (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (3) (a), 948.051, or  
23          948.085, a violation of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies, or a violation  
24          of the law of any other state or federal law, if that violation would be a violation of  
25          s. 940.19 (2), (4), or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or

1 (3) (a), ~~or 948.085~~ listed under this paragraph if committed in this state, and that the  
2 violation resulted in great bodily harm, as defined in s. 939.22 (14), or in substantial  
3 bodily harm, as defined in s. 939.22 (38), to the child or another child of the parent.  
4 If the circumstances specified in this paragraph apply, the petition shall be filed or  
5 joined in within 60 days after the date on which the court assigned to exercise  
6 jurisdiction under this chapter determines, based on a finding that a circumstance  
7 specified in this paragraph applies, that reasonable efforts to make it possible for the  
8 child to return safely to his or her home are not required.

9 **SECTION 7.** 48.685 (1) (c) of the statutes is renumbered 48.685 (1) (c) (intro.) and  
10 amended to read:

11 48.685 (1) (c) (intro.) "Serious crime" means ~~a~~ any of the following:

12 1. A violation of s. 940.19 (3), 1999 stats., a

13 2. A violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (4), (5) or  
14 (6), 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1)  
15 or (2), 948.025, 948.03 (2), 948.05, ~~948.051~~, 948.055, 948.06, 948.07, 948.08, 948.085,  
16 948.11 (2) (a) or (am), 948.12, 948.13, 948.21 (1), 948.30, or 948.53 ~~or a.~~

17 4. A violation of the law of any other state or United States jurisdiction that  
18 would be a violation of s. ~~940.19 (3), 1999 stats., or a violation of s. 940.01, 940.02,~~  
19 940.03, 940.05, 940.12, 940.19 (2), (4), (5) or (6), 940.22 (2) or (3), 940.225 (1), (2) or  
20 (3), 940.285 (2), 940.29, 940.295, 948.02 (1) or (2), 948.025, 948.03 (2), 948.05,  
21 948.055, 948.06, 948.07, 948.08, 948.085, 948.11 (2) (a) or (am), 948.12, 948.13,  
22 948.21 (1), 948.30, or 948.53 listed in subd. 1., 2., or 3. if committed in this state.

23 **SECTION 8.** 48.685 (1) (c) 3. of the statutes is created to read:

24 48.685 (1) (c) 3. A violation of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies.

25 **SECTION 9.** 50.065 (1) (e) 2. of the statutes is amended to read:

1           50.065 (1) (e) 2. For the purposes of an entity that serves persons under the age  
2 of 18, "serious crime" includes a violation of s. 948.02 (2), 948.03 (2) (b) or (c), 948.05,  
3 948.051, 948.055, 948.06, 948.07, 948.08, 948.085, 948.11 (2) (a) or (am), 948.12,  
4 948.13, 948.21 (1), 948.30, or 948.53 or a violation of the law of any other state or  
5 United States jurisdiction that would be a violation of s. 948.02 (2), 948.03 (2) (b) or  
6 (c), 948.05, 948.051, 948.055, 948.06, 948.07, 948.08, 948.085, 948.11 (2) (a) or (am),  
7 948.12, 948.13, 948.21 (1), 948.30, or 948.53 if committed in this state.

8           **SECTION 10.** 51.20 (13) (ct) 2m. of the statutes is amended to read:

9           51.20 (13) (ct) 2m. If the subject individual is before the court on a petition filed  
10 under a court order under s. 938.30 (5) (c) 1. and is found to have committed a  
11 violation, or to have solicited, conspired, or attempted to commit a violation, of s.  
12 940.22 (2), 940.225 (1), (2), or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.051,  
13 948.055, 948.06, 948.07, 948.075, 948.08, 948.085, 948.095, 948.11 (2) (a) or (am),  
14 948.12, 948.13, or 948.30, of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies, or of s.  
15 940.30 or 940.31 if the victim was a minor and the subject individual was not the  
16 victim's parent, the court shall require the individual to comply with the reporting  
17 requirements under s. 301.45 unless the court determines, after a hearing on a  
18 motion made by the individual, that the individual is not required to comply under  
19 s. 301.45 (1m).

20           **SECTION 11.** 178.27 (3) of the statutes is created to read:

21           178.27 (3) Upon application by a district attorney or the attorney general, the  
22 court shall decree a dissolution if the partnership has violated s. 940.302 (2) or  
23 948.051 (2).

24           **SECTION 12.** 178.45 (1m) of the statutes is created to read:

1           178.45 (1m) Upon application by a district attorney or the attorney general,  
2 a court shall revoke a foreign registered limited liability partnership's certificate of  
3 authority if the foreign registered limited liability partnership has violated s.  
4 940.302 (2) or 948.051 (2).

5           **SECTION 13.** 179.72 of the statutes is renumbered 179.72 (1).

6           **SECTION 14.** 179.72 (2) of the statutes is created to read:

7           179.72 (2) On application by a district attorney or the attorney general, the  
8 circuit court shall order dissolution of a limited partnership, if the limited  
9 partnership has violated s. 940.302 (2) or 948.051 (2).

10          **SECTION 15.** 179.86 (3) of the statutes is created to read:

11          179.86 (3) Upon application by a district attorney or the attorney general, a  
12 court shall cancel the registration of a foreign limited partnership if the foreign  
13 limited partnership has violated s. 940.302 (2) or 948.051 (2).

14          **SECTION 16.** 180.1420 (6) of the statutes is created to read:

15          180.1420 (6) The corporation violates s. 940.302 (2) or 948.051 (2).

16          **SECTION 17.** 180.1530 (1) (g) of the statutes is created to read:

17          180.1530 (1) (g) The foreign corporation violates s. 940.302 (2) or 948.051 (2).

18          **SECTION 18.** 181.1420 (7) of the statutes is created to read:

19          181.1420 (7) HUMAN TRAFFICKING. The corporation violates s. 940.302 (2) or  
20 948.051 (2).

21          **SECTION 19.** 181.1530 (1) (g) of the statutes is created to read:

22          181.1530 (1) (g) The foreign corporation violates s. 940.302 (2) or 948.051 (2).

23          **SECTION 20.** 250.04 (14) of the statutes is created to read:

24          250.04 (14) <sup>(a)</sup> Subject to the availability of funds, <sup>and to par (b)</sup> the department may provide  
25 or fund emergency services or assistance to victims of s. 940.302 (2) or 948.051.

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1           **SECTION 21.** 301.048 (2) (bm) 1. a. of the statutes is amended to read:

2           301.048 (2) (bm) 1. a. A crime specified in s. 940.19 (3), 1999 stats., s. 940.195  
3           (3), 1999 stats., s. 943.23 (1m), 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 940.01,  
4           940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (4) or (5), 940.195 (4)  
5           or (5), 940.20, 940.201, 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.285 (2) (a) 1.  
6           or 2., 940.29, 940.295 (3) (b) 1g., 1m., 1r., 2., or 3., 940.31, 940.43 (1) to (3), 940.45 (1)  
7           to (3), 941.20 (2) or (3), 941.26, 941.30, 941.327, 943.01 (2) (c), 943.011, 943.013,  
8           943.02, 943.04, 943.06, 943.10 (2), 943.23 (1g), 943.30, 943.32, 946.43, 947.015,  
9           948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.051, 948.06, 948.07, 948.08,  
10          948.085, or 948.30.

11          **SECTION 22.** 301.45 (1d) (b) of the statutes is amended to read:

12          301.45 (1d) (b) "Sex offense" means a violation, or the solicitation, conspiracy,  
13          or attempt to commit a violation, of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02  
14          (1) or (2), 948.025, 948.05, 948.051, 948.055, 948.06, 948.07, 948.075, 948.08,  
15          948.085, 948.095, 948.11 (2) (a) or (am), 948.12, 948.13, or 948.30, of s. 940.302 (2)  
16          if s. 940.302 (2) (a) 1. b. applies, or of s. 940.30 or 940.31 if the victim was a minor and  
17          the person who committed the violation was not the victim's parent.

18          **SECTION 23.** 302.045 (2) (c) of the statutes is amended to read:

19          302.045 (2) (c) The inmate is incarcerated regarding a violation other than a  
20          crime specified in ch. 940 or s. 948.02, 948.025, 948.03, 948.05, 948.051, 948.055,  
21          948.06, 948.07, 948.075, 948.08, 948.085, or 948.095.

22          **SECTION 24.** 302.05 (3) (a) 1. of the statutes is amended to read:

23          302.05 (3) (a) 1. The inmate is incarcerated regarding a violation other than  
24          a crime specified in ch. 940 or s. 948.02, 948.025, 948.03, 948.05, 948.051, 948.055,  
25          948.06, 948.07, 948.075, 948.08, 948.085, or 948.095.

1           **SECTION 25.** 343.12 (7) (c) 11m. of the statutes is created to read:

2           343.12 (7) (c) 11m. Trafficking under s. 940.302 (2) if s. 940.302 (2) (a) 1. b.  
3 applies.

4           **SECTION 26.** 343.12 (7) (c) 15m. of the statutes is created to read:

5           343.12 (7) (c) 15m. Trafficking a minor under s. 948.051.

6           **SECTION 27.** 440.982 (2) of the statutes is amended to read:

7           440.982 (2) The department may not grant a license under this subchapter to  
8 any person who has been convicted of an offense under s. 940.22, 940.225, 944.06,  
9 944.15, 944.17, 944.30, 944.31, 944.32, 944.33, 944.34, 948.02, 948.025, 948.051,  
10 948.06, 948.07, 948.075, 948.08, 948.09, 948.095, 948.10, 948.11, or 948.12 or under  
11 s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies.

12          **SECTION 28.** 901.04 (3) (c) of the statutes is amended to read:

13          901.04 (3) (c) In actions under s. 940.225, 948.02, 948.025, 948.051, 948.085,  
14 or 948.095, or under s. 940.302 (2), if the court determines that the offense was  
15 sexually motivated, as defined in s. 980.01 (5), admissibility of the prior sexual  
16 conduct or reputation of a complaining witness.

17          **SECTION 29.** 938.34 (15m) (bm) of the statutes is amended to read:

18          938.34 (15m) (bm) If the juvenile is adjudicated delinquent on the basis of a  
19 violation, or the solicitation, conspiracy, or attempt to commit a violation, of s. 940.22  
20 (2), 940.225 (1), (2), or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.051, 948.055,  
21 948.06, 948.07, 948.075, 948.08, or 948.085 (2), 948.095, 948.11 (2) (a) or (am),  
22 948.12, 948.13, or 948.30, of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies, or of s.  
23 940.30 or 940.31 if the victim was a minor and the juvenile was not the victim's  
24 parent, the court shall require the juvenile to comply with the reporting  
25 requirements under s. 301.45 unless the court determines, after a hearing on a

1 motion made by the juvenile, that the juvenile is not required to comply under s.  
2 301.45 (1m).

3 **SECTION 30.** 939.46 (1m) of the statutes is created to read:

4 939.46 (1m) A victim of a violation of s. 940.302 (2) or 948.051 has an  
5 affirmative defense for any offense committed as a direct result of the violation of s.  
6 940.302 (2) or 948.051 without regard to whether anyone was prosecuted or convicted  
7 for the violation of s. 940.302 (2) or 948.051.

8 **SECTION 31.** 939.615 (1) (b) 1. of the statutes is amended to read:

9 939.615 (1) (b) 1. A violation, or the solicitation, conspiracy, or attempt to  
10 commit a violation, of s. 940.22 (2), 940.225 (1), (2), or (3), 948.02 (1) or (2), 948.025  
11 (1), 948.05 (1) or (1m), 948.051, 948.055 (1), 948.06, 948.07, 948.075, 948.08, 948.085,  
12 948.11 (2) (a), 948.12, or 948.13 or of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies.

13 **SECTION 32.** 939.62 (2m) (a) 1m. a. of the statutes is amended to read:

14 939.62 (2m) (a) 1m. a. A violation of s. 948.02, 948.025, 948.05, 948.051,  
15 948.055, 948.06, 948.07, 948.08, 948.085, or 948.095 or 948.30 or, if the victim was  
16 a minor and the convicted person was not the victim's parent, a violation of s. 940.31.

17 **SECTION 33.** 939.632 (1) (e) 1. of the statutes is amended to read:

18 939.632 (1) (e) 1. Any felony under s. 940.01, 940.02, 940.03, 940.05, 940.09  
19 (1c), 940.19 (2), (4) or (5), 940.21, 940.225 (1), (2) or (3), 940.305, 940.31, 941.20,  
20 941.21, 943.02, 943.06, 943.10 (2), 943.23 (1g), 943.32 (2), 948.02 (1) or (2), 948.025,  
21 948.03 (2) (a) or (c), 948.05, 948.051, 948.055, 948.07, 948.08, 948.085, or 948.30 (2)  
22 or under s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies.

23 **SECTION 34.** 939.74 (2) (c) of the statutes is amended to read:

24 939.74 (2) (c) A prosecution for violation of s. 948.02 (2), 948.025 (1) (b), 948.03  
25 (2) (a), 948.05, 948.051, 948.06, 948.07 (1), (2), (3), or (4), 948.075, 948.08, 948.085,



1 or 948.095 shall be commenced before the victim reaches the age of 45 years or be  
2 barred, except as provided in sub. (2d) (c).

3 **SECTION 35.** 940.302 of the statutes is created to read:

4 **940.302 Human trafficking. (1)** In this section:

5 (a) "Commercial sex act" means sexual contact for which anything of value is  
6 given to, promised, or received, directly or indirectly, by any person.

7 (b) "Debt bondage" means the condition of a debtor arising from the debtor's  
8 pledge of services as a security for debt if the reasonable value of those services is not  
9 applied toward repaying the debt or if the length and nature of the services are not  
10 defined.

11 (c) "Services" means activities performed by one individual at the request,  
12 under the supervision, or for the benefit of another person.

13 (d) "Trafficking" means recruiting, enticing, harboring, transporting,  
14 providing, or obtaining, or attempting to recruit, entice, harbor, transport, provide,  
15 or obtain, an individual without consent of the individual.

16 (2) (a) Except as provided in s. 948.051, whoever knowingly engages in  
17 trafficking is guilty of a Class D felony if all of the following apply:

18 1. One of the following applies:

19 a. The trafficking is for the purposes of labor or services.

20 b. The trafficking is for the purposes of a commercial sex act.

21 2. The trafficking is done by any of the following:

22 a. Causing or threatening to cause bodily harm to any individual.

23 b. Causing or threatening to cause financial harm to any individual.

24 c. Restraining or threatening to restrain any individual.

25 d. Violating or threatening to violate a law.

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1 e. Destroying, concealing, removing, confiscating, or possessing, or threatening  
2 to destroy, conceal, remove, confiscate, or possess, any actual or purported passport  
3 or any other actual or purported official identification document of any individual.

4 f. Extortion.

5 g. Fraud or deception.

6 h. Debt bondage.

7 i. Controlling any individual's access to an addictive controlled substance.

8 j. Using any scheme or pattern to cause an individual to believe that any  
9 individual would suffer bodily harm, financial harm, restraint, or other harm.

10 (b) Whoever benefits in any manner from a violation of par. (a) is guilty of a  
11 Class D felony if the person knows that the benefits come from an act described in  
12 par. (a).

13 (3) Any person who incurs an injury or death as a result of a violation of sub.  
14 (2) may bring a civil action against the person who committed the violation. In  
15 addition to actual damages, the court may award punitive damages to the injured  
16 party, not to exceed treble the amount of actual damages incurred, and reasonable  
17 attorney fees.

18 **SECTION 36.** 946.82 (4) of the statutes is amended to read:

19 946.82 (4) "Racketeering activity" means any activity specified in 18 USC 1961  
20 (1) in effect as of April 27, 1982, or the attempt, conspiracy to commit, or commission  
21 of any of the felonies specified in: chs. 945 and 961 and ss. 49.49, 134.05, 139.44 (1),  
22 180.0129, 181.0129, 185.825, 201.09 (2), 215.12, 221.0625, 221.0636, 221.0637,  
23 221.1004, 551.41, 551.42, 551.43, 551.44, 553.41 (3) and (4), 553.52 (2), 940.01,  
24 940.19 (4) to (6), 940.20, 940.201, 940.203, 940.21, 940.30, 940.302 (2), 940.305,  
25 940.31, 941.20 (2) and (3), 941.26, 941.28, 941.298, 941.31, 941.32, 942.09, 943.01 (2),

1 (2d), or (2g), 943.011, 943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06,  
2 943.10, 943.20 (3) (bf) to (e), 943.201, 943.203, 943.23 (1g), (2) and (3), 943.24 (2),  
3 943.27, 943.28, 943.30, 943.32, 943.34 (1) (bf), (bm), and (c), 943.38, 943.39, 943.40,  
4 943.41 (8) (b) and (c), 943.50 (4) (bf), (bm), and (c), 943.60, 943.70, 943.76, 943.81,  
5 943.82, 943.83, 943.84, 943.85, 943.86, 943.87, 943.88, 943.89, 943.90, 944.21 (5) (c)  
6 and (e), 944.32, 944.33 (2), 944.34, 945.03 (1m), 945.04 (1m), 945.05 (1), 945.08,  
7 946.10, 946.11, 946.12, 946.13, 946.31, 946.32 (1), 946.48, 946.49, 946.61, 946.64,  
8 946.65, 946.72, 946.76, 946.79, 947.015, 948.05, 948.051, 948.08, 948.12, and 948.30.

9 SECTION 37. 948.051 of the statutes is created to read:

10 **948.051 Trafficking of a child.** (1) Whoever knowingly recruits, entices,  
11 provides, obtains, or harbors, or knowingly attempts to recruit, entice, provide,  
12 obtain, or harbor, any child for the purpose of commercial sex acts, as defined in s.  
13 940.302 (1) (a), or sexually explicit performance is guilty of a Class C felony.

14 (2) Whoever benefits in any manner from a violation of sub. (1) is guilty of a  
15 Class C felony if the person ~~know~~ <sup>knows</sup> that the benefits come from an act described in sub.  
16 (1).

17 (3) Any person who incurs an injury or death as a result of a violation of sub.  
18 (1) or (2) may bring a civil action against the person who committed the violation.  
19 In addition to actual damages, the court may award punitive damages to the injured  
20 party, not to exceed treble the amount of actual damages incurred, and reasonable  
21 attorney fees.

22 SECTION 38. 948.13 (1) (a) of the statutes is amended to read:

23 948.13 (1) (a) A crime under s. 940.22 (2) or 940.225 (2) (c) or (cm), if the victim  
24 is under 18 years of age at the time of the offense, a crime under s. 940.302 (2) if s.

1 940.302 (2) (a) 1. b. applies, or a crime under s. 948.02 (1) or (2), 948.025 (1), 948.05  
2 (1) or (1m), 948.051, 948.06, 948.07 (1), (2), (3), or (4), 948.075, or 948.085.

3 **SECTION 39.** 949.03 (1) (b) of the statutes is amended to read:

4 949.03 (1) (b) The commission or the attempt to commit any crime specified in  
5 s. 346.62 (4), 346.63 (2) or (6), 940.01, 940.02, 940.03, 940.05, 940.06, 940.07, 940.08,  
6 940.09, 940.10, 940.19, 940.20, 940.201, 940.21, 940.22 (2), 940.225, 940.23, 940.24,  
7 940.25, 940.285, 940.29, 940.30, 940.302 (2), 940.305, 940.31, 940.32, 941.327,  
8 943.02, 943.03, 943.04, 943.10, 943.20, 943.23 (1g), 943.32, 943.81, 943.86, 943.87,  
9 948.02, 948.025, 948.03, 948.04, 948.051, 948.07, 948.085, 948.095, 948.20, 948.30  
10 or 948.51.

11 **SECTION 40.** 969.08 (10) (b) of the statutes is amended to read:

12 969.08 (10) (b) "Serious crime" means any crime specified in s. 943.23 (1m),  
13 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 346.62 (4), 940.01, 940.02, 940.03,  
14 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (5), 940.195 (5), 940.20, 940.201,  
15 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.24, 940.25, 940.29, 940.295 (3) (b) 1g.,  
16 1m., 1r., 2. or 3., 940.302 (2), 940.31, 941.20 (2) or (3), 941.26, 941.30, 941.327, 943.01  
17 (2) (c), 943.011, 943.013, 943.02, 943.03, 943.04, 943.06, 943.10, 943.23 (1g), 943.30,  
18 943.32, 943.81, 943.82, 943.83, 943.85, 943.86, 943.87, 943.88, 943.89, 943.90,  
19 946.01, 946.02, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05,  
20 948.051, 948.06, 948.07, 948.085, or 948.30 or, if the victim is a financial institution,  
21 as defined in s. 943.80 (2), a crime under s. 943.84 (1) or (2).

22 **SECTION 41.** 970.03 (4) (a) of the statutes is amended to read:

23 970.03 (4) (a) If the defendant is accused of a crime under s. 940.225, 948.02,  
24 948.025, 948.05, 948.051, 948.06, 948.085, or 948.095, or under s. 940.302 (2), if the  
25 court finds that the crime was sexually motivated, as defined in s. 980.01 (5), the

1 court may exclude from the hearing all persons who are not officers of the court,  
2 members of the complainant's or defendant's families or others considered by the  
3 court to be supportive of the complainant or defendant, the service representative,  
4 as defined in s. 895.45 (1) (c), or other persons required to attend, if the court finds  
5 that the state or the defendant has established a compelling interest that would  
6 likely be prejudiced if the persons were not excluded. The court may consider as a  
7 compelling interest, among others, the need to protect a complainant from undue  
8 embarrassment and emotional trauma.

9 **SECTION 42.** 971.17 (1m) (b) 2m. of the statutes is amended to read:

10 971.17 (1m) (b) 2m. If the defendant under sub. (1) is found not guilty by reason  
11 of mental disease or defect for a violation, or for the solicitation, conspiracy, or  
12 attempt to commit a violation, of s. 940.22 (2), 940.225 (1), (2), or (3), 944.06, 948.02  
13 (1) or (2), 948.025, 948.05, 948.051, 948.055, 948.06, 948.07, 948.075, 948.08,  
14 948.085, 948.095, 948.11 (2) (a) or (am), 948.12, 948.13, or 948.30, of s. 940.302 (2)  
15 if s. 940.302 (2) (a) 1. b. applies, or of s. 940.30 or 940.31 if the victim was a minor and  
16 the defendant was not the victim's parent, the court shall require the defendant to  
17 comply with the reporting requirements under s. 301.45 unless the court determines,  
18 after a hearing on a motion made by the defendant, that the defendant is not required  
19 to comply under s. 301.45 (1m).

20 **SECTION 43.** 971.31 (11) of the statutes is amended to read:

21 971.31 (11) In actions under s. 940.225, 948.02, 948.025, 948.051, 948.085, or  
22 948.095, or under s. 940.302 (2), if the court finds that the crime was sexually  
23 motivated, as defined in s. 980.01 (5), evidence which is admissible under s. 972.11  
24 (2) must be determined by the court upon pretrial motion to be material to a fact at

1 issue in the case and of sufficient probative value to outweigh its inflammatory and  
2 prejudicial nature before it may be introduced at trial.

3 **SECTION 44.** 972.11 (2) (b) (intro.) of the statutes is amended to read:

4 972.11 (2) (b) (intro.) If the defendant is accused of a crime under s. 940.225,  
5 948.02, 948.025, 948.05, 948.051, 948.06, 948.085, or 948.095, or under s. 940.302 (2),  
6 if the court finds that the crime was sexually motivated, as defined in s. 980.01 (5),  
7 any evidence concerning the complaining witness's prior sexual conduct or opinions  
8 of the witness's prior sexual conduct and reputation as to prior sexual conduct shall  
9 not be admitted into evidence during the course of the hearing or trial, nor shall any  
10 reference to such conduct be made in the presence of the jury, except the following,  
11 subject to s. 971.31 (11):

12 **SECTION 45.** 973.01 (3g) of the statutes is amended to read:

13 973.01 (3g) EARNED RELEASE PROGRAM ELIGIBILITY. When imposing a bifurcated  
14 sentence under this section on a person convicted of a crime other than a crime  
15 specified in ch. 940 or s. 948.02, 948.025, 948.03, 948.05, 948.051, 948.055, 948.06,  
16 948.07, 948.075, 948.08, 948.085, or 948.095, the court shall, as part of the exercise  
17 of its sentencing discretion, decide whether the person being sentenced is eligible or  
18 ineligible to participate in the earned release program under s. 302.05 (3) during the  
19 term of confinement in prison portion of the bifurcated sentence.

20 **SECTION 46.** 973.01 (3m) of the statutes is amended to read:

21 973.01 (3m) CHALLENGE INCARCERATION PROGRAM ELIGIBILITY. When imposing  
22 a bifurcated sentence under this section on a person convicted of a crime other than  
23 a crime specified in ch. 940 or s. 948.02, 948.025, 948.03, 948.05, 948.051, 948.055,  
24 948.06, 948.07, 948.075, 948.08, 948.085, or 948.095, the court shall, as part of the  
25 exercise of its sentencing discretion, decide whether the person being sentenced is

1 eligible or ineligible for the challenge incarceration program under s. 302.045 during  
2 the term of confinement in prison portion of the bifurcated sentence.

3 **SECTION 47.** 973.0135 (1) (b) 2. of the statutes is amended to read:

4 973.0135 (1) (b) 2. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m)  
5 or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., s.  
6 940.01, 940.02, 940.03, 940.05, 940.09 (1c), 940.16, 940.19 (5), 940.195 (5), 940.21,  
7 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g),  
8 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05,  
9 948.051, 948.06, 948.07, 948.075, 948.08, or 948.30 (2).

10 **SECTION 48.** 973.017 (6) (b) of the statutes is amended to read:

11 973.017 (6) (b) When making a sentencing decision concerning a person  
12 convicted of a violation of s. 948.02 (1) or (2), 948.025 (1), ~~or~~ 948.03 (2) or (3), or  
13 948.051, the court shall consider as an aggravating factor the fact that the person  
14 was a person responsible for the welfare of the child who was the victim of the  
15 violation.

16 **SECTION 49.** 973.048 (2m) of the statutes is amended to read:

17 973.048 (2m) If a court imposes a sentence or places a person on probation for  
18 a violation, or for the solicitation, conspiracy or attempt to commit a violation, of s.  
19 940.22 (2), 940.225 (1), (2), or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.051,  
20 948.055, 948.06, 948.07, 948.075, 948.08, 948.085, 948.095, 948.11 (2) (a) or (am),  
21 948.12, 948.13, or 948.30, of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies, or of s.  
22 940.30 or 940.31 if the victim was a minor and the person was not the victim's parent,  
23 the court shall require the person to comply with the reporting requirements under  
24 s. 301.45 unless the court determines, after a hearing on a motion made by the  
25 person, that the person is not required to comply under s. 301.45 (1m).

1           **SECTION 50.** 973.176 (3) of the statutes is amended to read:

2           973.176 (3) CHILD SEX OFFENDER WORKING WITH CHILDREN. Whenever a court  
3 imposes a sentence or places a defendant on probation regarding a conviction under  
4 s. 940.22 (2) or 940.225 (2) (c) or (cm), if the victim is under 18 years of age at the time  
5 of the offense, a conviction under s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies, or  
6 a conviction under s. 948.02 (1) or (2), 948.025 (1), 948.05 (1) or (1m), 948.051, 948.06,  
7 948.07 (1), (2), (3), or (4), 948.075, or 948.085, the court shall inform the defendant  
8 of the requirements and penalties under s. 948.13.

9           **SECTION 51.** 973.20 (4m) of the statutes is amended to read:

10           973.20 (4m) If the defendant violated s. 940.225, 948.02, 948.025, 948.05,  
11 948.051, 948.06, 948.07, 948.08, or 948.085, or s. 940.302 (2), if the court finds that  
12 the crime was sexually motivated, as defined in s. 980.01 (5), and sub. (3) (a) does not  
13 apply, the restitution order may require that the defendant pay an amount, not to  
14 exceed \$10,000, equal to the cost of necessary professional services relating to  
15 psychiatric and psychological care and treatment. The \$10,000 limit under this  
16 subsection does not apply to the amount of any restitution ordered under sub. (3) or  
17 (5) for the cost of necessary professional services relating to psychiatric and  
18 psychological care and treatment.

19           **SECTION 52.** 973.20 (4o) of the statutes is created to read:

20           973.20 (4o) If the defendant violated s. 940.302 (2) or 948.051, and sub. (2) or  
21 (3) does not apply, the restitution order may require that the defendant pay an  
22 amount equal to any of the following:

23           (a) The costs of necessary transportation, housing, and child care for the victim.

24           (b) The greater of the following:

25           1. The gross income gained by the defendant due to the services of the victim.





2007-2008 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-2066/P3ins  
CMH&CTS:wjl:pg

↑  
stays

1 Analysis Insert

For  
Under this bill human trafficking and trafficking of a child are specific offenses. In the human trafficking offense, "trafficking" is defined as recruiting, enticing, harboring, transporting, providing, or obtaining an individual without the consent of the individual. Trafficking, or knowingly benefiting from trafficking, is a felony if an individual is trafficked for labor, services, or a commercial sex act and done by \* specified actions, including harming any individual, removing any identification document of any individual, extortion, and debt bondage. A person who is convicted is subject to a fine of up to \$100,000, imprisonment for up to 25 years, or both. ✓

For  
In the offense of trafficking of a child, any person who knowingly recruits, entices, provides, obtains, or harbors a child for commercial sex acts or sexually explicit performance, or who knowingly benefits from such activity, is guilty of a felony. A person who is convicted is subject to a fine of up to \$100,000, imprisonment for up to 40 years, or both. ✓

If a business entity violates ~~the~~ <sup>trafficking</sup> either offense created in this bill (trafficking offense), the attorney general or district attorney may request that a court order the dissolution of the entity or the revocation of the entity's authorization to conduct business in this state.

This bill also provides an affirmative defense for any offense committed by the victim of the trafficking offense as a direct result of the trafficking offense, permits a court to order as restitution in a trafficking offense case the costs of necessary transportation, housing, and childcare, the gross income gained due to the victim's services or the value of the services, whichever is greater, and relocation expenses if the district attorney determines that relocation is necessary for the victim's personal safety. Subject to the availability of funds, the Department of Health and Family Services may provide emergency services or assistance to victims of trafficking offenses.

The bill requires the Office of Justice Assistance in the Department of Administration to collect data relating to the number and nature of violations of the trafficking offenses.

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.

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

2

3 Insert 6-25

1 (b) The department may provide or fund emergency services or assistance to  
2 a victim only for the following time periods:

3 1. If the victim is cooperating with the appropriate law enforcement agencies,  
4 from the time the victim is identified until 60 days after the disposition of the trial.

5 2. If the victim is not cooperating with the appropriate law enforcement  
6 agencies, a total of 60 days.

7  
8 Insert 10-3

9 SECTION ~~1.~~ 939.74 (2) (d) of the statutes is created to read:

10 939.74 (2) (d) A prosecution for a violation of s. 948.051 shall be commenced  
11 before the victim reaches the age of 24 or be barred.