

SESSION OF 2005

SUPPLEMENTAL NOTE ON SENATE BILL NO. 151

As Amended by House Committee on
Corrections and Juvenile Justice

Brief*

SB 151 creates two new crimes related to human slavery or involuntary servitude: the crime of trafficking, a severity level 2, person felony and aggravated trafficking, a severity level 1, person felony.

Trafficking is defined as:

- ! recruiting, harboring, transporting, providing or obtaining, by any means, another person knowing that force, fraud, threat, or coercion will be used to cause the person to engage in forced labor or involuntary servitude; or
- ! benefitting, financially or by receiving anything of value, from participation in a venture that has engaged in acts set forth above.

Aggravated trafficking is defined as:

- ! Trafficking as defined above:
 - " involving the commission or the attempted commission of kidnapping;
 - " committed in whole or in part for the purpose of the sexual gratification of the defendant or another; or
 - " resulting in a death; or

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

! recruiting, harboring, transporting, providing or obtaining, by any means, a person under 18 years of age knowing that the person, with or without force, fraud, threat, or coercion, will be used to engage in forced labor, involuntary servitude or sexual gratification of the defendant or another.

These provisions would be part of and supplemental to the Kansas Criminal Code.

Background

The bill was supported by the Kansas Attorney General, the Kansas Bureau of Investigation, the Kansas Catholic Conference, Concerned Women of America, the Kansas Coalition Against Domestic and Sexual Violence, United States Senator Sam Brownback (written), El Centro, a University of Missouri at Kansas City law professor, a representative of the United States Department of State, and others.

Proponents said trafficking in human beings is becoming a growing problem worldwide as well as in the United States.

The House Committee added the provision to aggravated trafficking dealing with recruiting, harboring, transporting, providing, or obtaining, by any means, a person under 18 years of age knowing that the person, with or without force, fraud, threat, or coercion, will be used to engage in forced labor, involuntary servitude, or sexual gratification of the defendant or another.

The fiscal note said any cost related to the bill could not be determined.