
Public Safety Committee

HB 1791

Brief Description: Concerning trafficking.

Sponsors: Representatives Parker, Orwall, Fagan, Riccelli, Ryu, O'Ban, Haler, Moscoso and Santos.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Expands the definition of "sex offense" to include Trafficking in the first degree, when force, fraud, or coercion is used to cause the trafficked person to engage in a sexually explicit act or a commercial sex act.

Hearing Date: 1/28/14

Staff: Sarah Koster (786-7303).

Background:

A person is guilty of Trafficking when he or she: (a) recruits, harbors, transports, transfers, provides, obtains, or receives by any means another person, knowing that force, fraud or coercion will be used to cause the person to engage in forced labor, involuntary servitude, a sexually explicit act or a commercial sex act, or that the person has not reached the age of 18 years and is caused to engage in a sexually explicit act or a commercial sex act; or (b) benefits financially or receives anything of value from participation in a venture that has engaged in the above acts. The offense is Trafficking in the first degree if the acts involve kidnapping, sexual motivation, or illegal harvesting of human organs or result in a death.

Trafficking in the first degree is a class A felony, with a seriousness level of XIV.

A "sexually explicit act" is a public, private, or live photographer, recorded or videotaped act or show intended to arouse or satisfy the sexual desires or appeal to the prurient interests of patrons and for which something of value is given or received. In this definition, a "patron" is a person

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who pays or agrees to pay a fee to another person as compensation for a sexually explicit act of a minor or who solicits or requests a sexually explicit act of a minor in return for a fee.

A "commercial sex act" is any act of sexual contact or sexual intercourse for which something of value is given or received.

A person convicted of a sex offense is required to register with the county sheriff for his or her county of residence and provide his or her: (1) name and aliases; (2) residential address; (3) date and place of birth; (4) place of employment; (5) crime for which convicted; (6) date and place of conviction; (7) Social Security number; (8) photograph; and (9) fingerprints. This information is placed in a central registry maintained by the Washington State Patrol. Some information about registered sex offenders, including residential address and conviction data, is made available to the public.

Summary of Bill:

Trafficking in the first degree is a sex offense if force, fraud, or coercion is used to cause the trafficked person to engage in a sexually explicit act or a commercial sex act.

Appropriation: None.

Fiscal Note: Requested on January 28, 2014.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.