

CONFERENCE COMMITTEE REPORT

SB 306

2024 Regular Session

Cathey

May 28, 2024

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill No. 306 by Senator Cathey, recommend the following concerning the Reengrossed bill:

1. That all House Floor Amendments proposed by Representative Freeman and adopted by the House of Representatives on May 20, 2024, be rejected.

Respectfully submitted,

Senators:

Representatives:

Senator Stewart Cathey Jr.

Representative Chad Boyer

Senator John C. "Jay" Morris III

Representative Lauren Ventrella

Senator Regina Ashford Barrow

Representative Debbie Villio

The legislative instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jonathon Wagner.

CONFERENCE COMMITTEE REPORT DIGEST

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Keyword and summary of the bill as proposed by the Conference Committee

CRIME/PUNISHMENT. Increases the penalty for human trafficking involving sexual activity of persons under the age of eighteen. (8/1/24)

Report rejects House amendments which would have:

1. Provided an affirmative defense to prosecution for any crime, rather than certain present law crimes, committed by a victim of human trafficking when the trafficking included commercial sexual activity and the crime committed was a direct result of being trafficked.

Digest of the bill as proposed by the Conference Committee

Present law provides that human trafficking is when any person knowingly recruits, harbors, transports, provides, solicits, receives, isolates, entices, obtains, patronizes, procures, purchases, holds, restrains, induces, threatens, subjects, or maintains the use of another person through fraud, force, or coercion to provide services or labor.

Present law further provides that human trafficking is when any person knowingly recruits, harbors, transports, provides, solicits, sells, purchases, patronizes, procures, holds, restrains, induces, threatens, subjects, receives, isolates, entices, obtains, or maintains the use of a person under the age of 21 years for the purpose of engaging in commercial sexual activity regardless of whether the person was recruited, harbored, transported, provided, solicited, sold, purchased, received, isolated, enticed, obtained, or maintained through fraud, force, or coercion.

Proposed law provides that to knowingly sell the use of another person through fraud, force, or coercion to provide services or labor of someone for a purpose other than engaging in commercial sexual activity is human trafficking.

Proposed law otherwise retains present law.

Present law provides graduated penalties based on the age of the victim and whether the victim was trafficked for commercial sexual activity.

Proposed law provides an increase in the penalty for trafficking persons under the age of 18 for commercial sexual activity from a fine not to exceed \$50,000, imprisonment at hard labor for not less than 15 years, nor more than 50 years, or both to a fine not to exceed \$75,000 and life imprisonment at hard labor without the possibility of probation or parole.

Proposed law otherwise retains present law.

Effective August 1, 2024.

(Amends R.S. 14:46.2(A)(1)(a), (B)(2), and (F)(1) and 46.3(D))