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## DIGEST

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HB 262 Original

2016 Regular Session

Leger

**Abstract:** Raises the age of the victim for enhanced penalty purposes for the crimes of human trafficking and trafficking of children for sexual purposes.

Present law provides for the crimes of human trafficking and the trafficking of children for sexual purposes.

Present law provides enhanced penalties for the crime of human trafficking when the trafficking involves a person under the age of 18 years, including a fine of not more than \$25,000 and imprisonment at hard labor for not less than five nor more than 25 years, five years of which shall be without the benefit of parole, probation, or suspension of sentence.

Proposed law increases this age from under 18 years to under 21 years and otherwise retains present law.

Present law provides that it shall be unlawful:

- (1) For any person to knowingly recruit, harbor, transport, provide, sell, purchase, receive, isolate, entice, obtain, or maintain the use of a person under the age of 18 years for the purpose of engaging in commercial sexual activity.
- (2) For any parent, legal guardian, or person having custody of a person under the age of 18 years to knowingly permit or consent to such minor entering into any activity prohibited by present law.

Proposed law raises the threshold age from under 18 years to under 21 years and otherwise retains present law.

Present law provides that anyone who has been previously convicted of a sex offense and is convicted of trafficking of children for sexual purposes when the victim of the sex offense was under the age of 18 years, shall be fined not more than \$100,000 and shall be imprisoned at hard labor for not less than 50 years or for life. At least 50 years of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence.

Proposed law raises the threshold age from under 18 years to under 21 years and otherwise retains present law.

Present law provides that a parent or guardian or person with legal custody who allows a child under their care to participate in trafficking of children for sexual purposes when the victim is under the age of 14 shall be required to serve at least 10 years of their sentence without benefit of probation, parole, or suspension of sentence.

Proposed law raises the threshold age from under 14 years to under 18 years and otherwise retains present law.

(Amends R.S. 14:46.2(B)(3) and 46.3(A)(1) and (3) and (C)(1), (D)(1)(c) and (2))