
HOUSE BILL No. 1120

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-32-2-3; IC 35-42-1-1; IC 35-42-3.5.

Synopsis: Human and sexual trafficking. Makes it promotion of human trafficking, a Class B felony, for a person to recruit, harbor, or transport another person to: (1) engage the other person in forced labor or involuntary servitude; or (2) force the other person into marriage or prostitution. Makes it sexual trafficking of a minor, a Class A felony, for certain individuals to sell or transfer custody of a child less than 18 years of age for the purpose of prostitution. Makes it human trafficking, a Class B felony, for a person to pay for an individual who is forced into forced labor, involuntary servitude, marriage, or prostitution. Makes it felony murder for a person to kill another person while committing or attempting to commit promotion of human trafficking, sexual trafficking of a minor, or human trafficking.

Effective: July 1, 2006.

Ruppel

January 12, 2006, read first time and referred to Committee on Courts and Criminal Code.

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Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

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HOUSE BILL No. 1120



A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-32-2-3 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 3. (a) A person who
 3 commits the offense of:
 4 (1) kidnapping; ~~or~~
 5 (2) criminal confinement;
 6 (3) **human trafficking**;
 7 (4) **promotion of human trafficking**; or
 8 (5) **sexual trafficking of a minor**;
 9 may be tried in a county in which the victim has traveled or has been
 10 confined during the course of the offense.
 11 (b) A person who commits the offense of criminal confinement or
 12 interference with custody may be tried in a county in which the child
 13 who was removed, taken, concealed, or detained in violation of a child
 14 custody order:
 15 (1) was a legal resident at the time of the taking, concealment, or
 16 detention;
 17 (2) was taken, detained, or concealed; or



1 (3) was found.

2 SECTION 2. IC 35-42-1-1 IS AMENDED TO READ AS

3 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. A person who:

4 (1) knowingly or intentionally kills another human being;

5 (2) kills another human being while committing or attempting to

6 commit arson, burglary, child molesting, consumer product

7 tampering, criminal deviate conduct, kidnapping, rape, robbery,

8 **human trafficking, promotion of human trafficking, sexual**

9 **trafficking of a minor**, or carjacking;

10 (3) kills another human being while committing or attempting to

11 commit:

12 (A) dealing in or manufacturing cocaine, a narcotic drug, or

13 methamphetamine (IC 35-48-4-1);

14 (B) dealing in a schedule I, II, or III controlled substance

15 (IC 35-48-4-2);

16 (C) dealing in a schedule IV controlled substance

17 (IC 35-48-4-3); or

18 (D) dealing in a schedule V controlled substance; or

19 (4) knowingly or intentionally kills a fetus that has attained

20 viability (as defined in IC 16-18-2-365);

21 commits murder, a felony.

22 SECTION 3. IC 35-42-3.5 IS ADDED TO THE INDIANA CODE

23 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE

24 JULY 1, 2006]:

25 **Chapter 3.5. Human and Sexual Trafficking**

26 **Sec. 1. (a) A person who knowingly or intentionally recruits,**

27 **harbors, or transports another person by force, threat of force, or**

28 **fraud:**

29 (1) to engage the other person in:

30 (A) forced labor; or

31 (B) involuntary servitude; or

32 (2) to force the other person into:

33 (A) marriage; or

34 (B) prostitution;

35 **commits promotion of human trafficking, a Class B felony.**

36 (b) A parent, guardian, or custodian of a child less than eighteen

37 (18) years of age who knowingly or intentionally sells or transfers

38 custody of the child for the purpose of prostitution commits sexual

39 trafficking of a minor, a Class A felony.

40 (c) A person who knowingly or intentionally pays, offers to pay,

41 or agrees to pay money or other property to another person for an

42 individual who is forced into:

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1 **(1) forced labor;**
2 **(2) involuntary servitude;**
3 **(3) marriage; or**
4 **(4) prostitution;**
5 **commits human trafficking, a Class B felony.**
6 SECTION 4. [EFFECTIVE JULY 1, 2006] IC 35-32-2-3 and
7 **IC 35-42-1-1, both as amended by this act, and IC 35-42-3.5, as**
8 **added by this act, apply to offenses committed after June 30, 2006.**

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