

Senate File 312 - Introduced

SENATE FILE 312

BY PETERSEN, HART, DVORSKY,
and JOCHUM

A BILL FOR

1 An Act relating to human trafficking and including a penalty
2 provision.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 80B.11, subsection 1, paragraph c, Code
2 2015, is amended by adding the following new subparagraph:

3 NEW SUBPARAGRAPH. (4) In-service training under this
4 paragraph "c" shall include the requirement that all law
5 enforcement officers complete a course on human trafficking.

6 Sec. 2. Section 216A.131A, Code 2015, is amended to read as
7 follows:

8 **216A.131A Division of criminal and juvenile justice planning.**

9 The division of criminal and juvenile justice planning is
10 established to fulfill the responsibilities of this subchapter,
11 including the duties specified in sections 216A.135, 216A.136,
12 216A.137, 216A.138, and 216A.139, and 216A.139A.

13 Sec. 3. NEW SECTION. **216A.139A Human trafficking research.**

14 The division shall maintain a human trafficking research
15 project to conduct analyses and evaluate data relating to human
16 trafficking in this state. The division shall, among other
17 things, consider criminal history data the division collects
18 pursuant to section 692.23.

19 Sec. 4. NEW SECTION. **692.23 Human trafficking information.**

20 The division of criminal and juvenile justice planning
21 of the department of human rights shall collect and maintain
22 criminal history data on incidents related to human
23 trafficking. For purposes of this section, "*incidents related*
24 *to human trafficking*" means criminal violations of section
25 710.5, 710.11, or 710A.2, section 725.1, subsection 2, or
26 section 725.2 or 725.3, or violations of section 710.2, 710.3,
27 or 710.4 if the victim was forced to provide labor or services
28 or participate in commercial sexual activity.

29 Sec. 5. Section 702.11, subsection 1, Code 2015, is amended
30 to read as follows:

31 1. A "*forcible felony*" is any felonious child endangerment,
32 assault, murder, sexual abuse, kidnapping, robbery, arson in
33 the first degree, ~~or~~ burglary in the first degree, or human
34 trafficking.

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EXPLANATION

1 The inclusion of this explanation does not constitute agreement with
2 the explanation's substance by the members of the general assembly.

3 This bill relates to human trafficking and includes a
4 penalty provision.

5 DEFINING HUMAN TRAFFICKING AS A FORCIBLE FELONY. The bill
6 amends the definition of "forcible felony" to include human
7 trafficking. "Human trafficking" means participating in a
8 venture to recruit, harbor, transport, supply provisions, or
9 obtain a person for either forced labor or service that results
10 in involuntary servitude, peonage, debt bondage, or slavery, or
11 for commercial sexual activity through the use of force, fraud,
12 or coercion, except that if the trafficked person is under the
13 age of 18, the commercial sexual activity need not involve
14 force, fraud, or coercion. As an offense that is a forcible
15 felony, a person convicted of human trafficking would not be
16 eligible for a suspended or deferred sentence, or a deferred
17 judgment.

18 HUMAN TRAFFICKING TRAINING. The bill provides that the
19 Iowa law enforcement academy shall include human trafficking
20 training in the in-service training that law enforcement
21 officers are required to complete to maintain certification.

22 HUMAN TRAFFICKING DATA COLLECTION. The bill requires the
23 division of criminal and juvenile justice planning of the
24 department of human rights to collect and maintain criminal
25 history data on incidents related to human trafficking.