

House Study Bill 196 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON HOLT)

A BILL FOR

1 An Act relating to human trafficking and providing penalties.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 710A.2, subsections 1, 2, 3, 4, 5, 6, 7,
2 8, and 9, Code 2023, are amended to read as follows:

3 1. A person who knowingly engages in human trafficking is
4 guilty of a class ~~"D"~~ "C" felony, except that if the victim is
5 under the age of eighteen, the person is guilty of a class ~~"C"~~
6 "B" felony.

7 2. A person who knowingly engages in human trafficking by
8 causing or threatening to cause serious physical injury to
9 another person is guilty of a class ~~"C"~~ "B" felony, ~~except~~
10 ~~that if the victim is under the age of eighteen, the person is~~
11 ~~guilty of a class "B" felony.~~

12 3. A person who knowingly engages in human trafficking by
13 physically restraining or threatening to physically restrain
14 another person is guilty of a class ~~"D"~~ "C" felony, except
15 that if the victim is under the age of eighteen, the person is
16 guilty of a class ~~"C"~~ "B" felony.

17 4. A person who knowingly engages in human trafficking by
18 soliciting services or benefiting from the services of a victim
19 is guilty of a class ~~"D"~~ "C" felony, except that if the victim
20 is under the age of eighteen, the person is guilty of a class
21 ~~"C"~~ "B" felony.

22 5. A person who knowingly engages in human trafficking by
23 abusing or threatening to abuse the law or legal process is
24 guilty of a class ~~"D"~~ "C" felony, except that if the victim is
25 under the age of eighteen, the person is guilty of a class ~~"C"~~
26 "B" felony.

27 6. A person who knowingly engages in human trafficking by
28 knowingly destroying, concealing, removing, confiscating, or
29 possessing any actual or purported government identification of
30 another person is guilty of a class ~~"D"~~ "C" felony, except if
31 that other person is under the age of eighteen, the person is
32 guilty of a class ~~"C"~~ "B" felony.

33 7. A person who benefits financially or by receiving
34 anything of value from knowing participation in human
35 trafficking is guilty of a class ~~"D"~~ "C" felony, except that if

1 the victim is under the age of eighteen, the person is guilty
2 of a class ~~"C"~~ "B" felony.

3 8. A person who knowingly engages in human trafficking
4 by knowingly providing or facilitating the provision of a
5 forged, altered, or fraudulent license purportedly issued
6 pursuant to [chapter 152C](#) or [157](#), or a forged, altered, or
7 fraudulent government identification to another person, to
8 force, coerce, entice, assist, facilitate, or permit the other
9 person to perform labor or services is guilty of an ~~aggravated~~
10 ~~misdemeanor~~ a class "D" felony, except if that other person is
11 under the age of eighteen, the person is guilty of a class ~~"D"~~
12 "C" felony.

13 9. A person who knowingly engages in human trafficking
14 by knowingly forcing, coercing, enticing, assisting,
15 facilitating, or permitting another person in possession of
16 a forged, altered, or fraudulent license purportedly issued
17 pursuant to [chapter 152C](#) or [157](#), or a forged, altered, or
18 fraudulent government identification, to produce such license
19 or government identification upon request of a peace officer
20 pursuant to [section 152C.5B](#) or [157.4A](#), is guilty of an
21 ~~aggravated misdemeanor~~ a class "D" felony, except if that other
22 person is under the age of eighteen, the person is guilty of a
23 class ~~"D"~~ "C" felony.

24 EXPLANATION

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

27 This bill relates to human trafficking.

28 Current law provides for penalties for a human trafficking
29 crime listed in Code section 710A.2 ranging from an aggravated
30 misdemeanor to a class "C" felony depending on the elements of
31 the crime alleged and the age of the victim.

32 The bill increases the penalties imposed for a human
33 trafficking crime listed in Code section 710A.2. The penalties
34 imposed range from a class "D" felony to a class "B" felony.

35 The bill provides that a person who knowingly engages in

1 human trafficking is guilty of a class "C" felony, except
2 that if the victim is under the age of 18, the person is
3 guilty of a class "B" felony. If the offense involves causing
4 or threatening to cause serious physical injury to another
5 person, the person is guilty of a class "B" felony. A person
6 who knowingly engages in human trafficking by physically
7 restraining or threatening to physically restrain another
8 person is guilty of a class "C" felony, except that if the
9 victim is under the age of 18, the person is guilty of a class
10 "B" felony.

11 The bill provides that a person who knowingly engages in
12 human trafficking who solicits services or benefits from the
13 services of a victim is guilty of a class "C" felony, except
14 that if the victim is under the age of 18, the person is guilty
15 of a class "B" felony. A person who knowingly engages in
16 human trafficking who abuses or threatens to abuse the law or
17 legal process is guilty of a class "C" felony, except that if
18 the victim is under the age of 18, the person is guilty of a
19 class "B" felony. A person who knowingly engages in human
20 trafficking by destroying, concealing, removing, confiscating,
21 or possessing any actual or purported government identification
22 of another person is guilty of a class "C" felony, except that
23 if the other person is under the age of 18, the person is guilty
24 of a class "B" felony. A person who benefits financially or by
25 receiving anything of value from knowing participation in human
26 trafficking is guilty of a class "C" felony, except that if the
27 victim is under the age of 18, the person is guilty of a class
28 "B" felony.

29 A person who knowingly engages in human trafficking by
30 knowingly providing or facilitating the provision of a forged,
31 altered, or fraudulent license, or a forged, altered, or
32 fraudulent government identification to another person, to
33 force, coerce, entice, assist, facilitate, or permit the other
34 person to perform labor or services or to produce such license
35 or government identification upon request of a peace officer is

1 guilty of a class "D" felony, except that if the other person
2 is under the age of 18, the person is guilty of a class "C"
3 felony.

4 A class "B" felony is punishable by confinement for no more
5 than 25 years. A class "C" felony is punishable by confinement
6 for no more than 10 years and a fine of at least \$1,370 but
7 not more than \$13,660. A class "D" felony is punishable by
8 confinement for no more than five years and a fine of at least
9 \$1,025 but not more than \$10,245.