

**Senate File 232 - Introduced**

SENATE FILE 232

BY SALMON

**A BILL FOR**

1 An Act relating to criminal and civil liability for  
2 facilitating human trafficking, and providing penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 710A.2B, Code 2023, is amended to read  
2 as follows:

3 **710A.2B Premises or internet site used for human trafficking.**

4 1. A person who owns, rents, leases, or uses any part of  
5 a building, structure, boat, trailer, or other place offering  
6 shelter or seclusion, or a person who owns an internet site,  
7 and who knows, or has reason to know, that the building,  
8 structure, boat, trailer, ~~or~~ other place offering shelter or  
9 seclusion, or internet site is being used for the purposes of  
10 human trafficking, commits a class "D" felony.

11 2. It shall be an affirmative defense to a prosecution of a  
12 person pursuant to [subsection 1](#), if immediately upon acquiring  
13 knowledge that the building, structure, boat, trailer, ~~or~~ other  
14 place offering shelter or seclusion, or internet site is used  
15 for the purposes of human trafficking, the person notifies a  
16 law enforcement agency with jurisdiction and fully cooperates  
17 with any subsequent investigation.

18 3. *a.* If a law enforcement agency notifies a person who  
19 owns, rents, leases, or uses any part of a building, structure,  
20 boat, trailer, or other place offering shelter or seclusion,  
21 or who owns an internet site, of an investigation pursuant to  
22 chapter 152C or [157](#) that may involve the building, structure,  
23 boat, trailer, ~~or~~ other place offering shelter or seclusion,  
24 or internet site, the person shall have an affirmative duty to  
25 fully cooperate with the investigation.

26 *b.* A person who fails to fully cooperate with an  
27 investigation pursuant to paragraph "a" commits a serious  
28 misdemeanor.

29 4. For purposes of this section, "internet site" includes  
30 but is not limited to any internet site, application, or social  
31 media platform that is open to the public, allows a user to  
32 create an account, and enables users to communicate with other  
33 users for the primary purpose of posting information, comments,  
34 messages, or images.

35 Sec. 2. NEW SECTION. **710A.8 Civil liability —**

1 **facilitation.**

2 A victim of human trafficking or a parent, guardian, or  
3 custodian of a human trafficking victim, has a right of action  
4 against a social media platform, a social media application, or  
5 an internet site, who acted in violation of this chapter or 47  
6 U.S.C. §230, or who facilitated such a violation, for damages  
7 sustained due to the victim's physical or emotional distress,  
8 or physical or emotional distress due to the absence of the  
9 victim, as applicable, and for punitive damages.

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EXPLANATION

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The inclusion of this explanation does not constitute agreement with

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the explanation's substance by the members of the general assembly.

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This bill relates to criminal and civil liability for  
14 facilitating human trafficking.

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The bill provides that a person who owns an internet site  
16 used for purpose of human trafficking is guilty of a class "D"  
17 felony, and a person who owns an internet site that fails to  
18 cooperate with an investigation pursuant to Code chapter 152C  
19 (massage therapy) or 157 (cosmetology) is guilty of a serious  
20 misdemeanor. A class "D" felony is punishable by confinement  
21 for no more than five years and a fine of at least \$1,025 but  
22 not more than \$10,245. A serious misdemeanor is punishable by  
23 confinement for no more than one year and a fine of at least  
24 \$430 but not more than \$2,560.

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The bill provides a victim of human trafficking or a parent,  
26 guardian, or custodian of a human trafficking victim has a  
27 right of action against a social media platform, a social  
28 media application, or an internet site, who acted in violation  
29 of Code chapter 710A (human trafficking) or federal law  
30 (protection for private blocking and screening of offensive  
31 material), or who facilitated such a violation, for damages  
32 sustained due to the victim's physical or emotional distress,  
33 or physical or emotional distress due to the absence of the  
34 victim, as applicable, and for punitive damages.