

**House File 452 - Introduced**

HOUSE FILE 452

BY LOHSE

**A BILL FOR**

1 An Act relating to human trafficking, including screening  
2 children, civil statutes of limitations, an annual  
3 stakeholder meeting and report, depositions of victims,  
4 restitution, restorative facilities and protective services,  
5 and investigation and prosecution, and making appropriations.  
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 80.45, subsection 3, Code 2025, is amended  
2 by adding the following new paragraph:

3 NEW PARAGRAPH. i. Hold an annual meeting of stakeholders to  
4 develop legislative proposals to combat human trafficking, and  
5 submit a report, by December 15, 2025, and annually thereafter  
6 for a period of five years ending with the submission of  
7 the report in 2030, to the governor and general assembly.

8 Participants shall include the following:

9 (1) A representative of the department of public safety.

10 (2) A representative of the office to combat human  
11 trafficking.

12 (3) A representative of the attorney general's office.

13 (4) A representative of the department of health and human  
14 services.

15 (5) A representative of juvenile court services.

16 (6) A chief of police or head law enforcement official of a  
17 city in this state.

18 (7) A county sheriff.

19 (8) A county attorney who serves on a child protection  
20 assistance team under section 915.35, subsection 4, paragraph  
21 "a".

22 (9) A public defender or criminal law attorney with  
23 experience working on human trafficking cases.

24 (10) A member of the public, or the person's legal  
25 representative, who is a former human trafficking victim.

26 (11) A representative from the Iowa network against human  
27 trafficking.

28 (12) A representative from a nonprofit organization whose  
29 primary focus is services for human trafficking survivors.

30 Sec. 2. Section 232.2, Code 2025, is amended by adding the  
31 following new subsection:

32 NEW SUBSECTION. 7A. "Commercial sexual exploitation" means  
33 causing a child, by force, fraud, or coercion, to engage in sex  
34 or sexually explicit activities for money, goods, services, or  
35 the promise of money, goods, or services.

1     Sec. 3. Section 232.28, subsection 2, Code 2025, is amended  
2 to read as follows:

3     2. The Upon receiving a complaint under subsection 1, the  
4 court or its designee shall ~~refer~~ do all of the following:

5     a. Refer the complaint to an intake officer who shall consult  
6 with law enforcement authorities having knowledge of the facts  
7 and conduct a preliminary inquiry to determine what action should  
8 be taken.

9     b. Order the child subject to the complaint to be screened  
10 for commercial sexual exploitation.

11     Sec. 4. Section 232.50, Code 2025, is amended by adding the  
12 following new subsection:

13     NEW SUBSECTION. 3A. Prior to the final dispositional hearing  
14 of a child, the court shall require a substance use disorder  
15 screening of the child.

16     Sec. 5. Section 232.71B, subsection 1, paragraph a,  
17 unnumbered paragraph 1, Code 2025, is amended to read as follows:

18     If the department determines a report constitutes a child  
19 abuse allegation, the department shall ~~promptly~~ have the child  
20 subject to the child abuse allegation screened for commercial  
21 sexual exploitation, and shall commence either a child abuse  
22 assessment within twenty-four hours of receiving the report or  
23 a family assessment within seventy-two hours of receiving the  
24 report.

25     Sec. 6. Section 614.8, subsection 2, Code 2025, is amended to  
26 read as follows:

27     2. Except as provided in section 614.1, subsection 9, or  
28 section 614.8A, the times limited for actions in this chapter,  
29 or chapter 216, 659A, 669, or 670, except those brought for  
30 penalties and forfeitures, are extended in favor of minors,  
31 so that they shall have ~~one year~~ five years from and after  
32 attainment of majority within which to file a complaint pursuant  
33 to chapter 216, to make a claim pursuant to chapter 669, or to  
34 otherwise commence an action.

35     Sec. 7. Section 614.8A, Code 2025, is amended to read as

1 follows:

2 **614.8A Damages Commencement of action for child or minor**  
3 **sexual abuse or human trafficking — time limitation.**

4 1. Notwithstanding section 614.8, subsection 2, and the times  
5 limited for actions in this chapter, the time to file an action  
6 related to sexual abuse or human trafficking that occurred when  
7 the injured person was a minor is extended to five years beyond  
8 the minor's attainment of eighteen years of age.

9 2. ~~An~~ In addition to the extension of the time provided in  
10 subsection 1, an action for damages for injury suffered as a  
11 result of sexual abuse ~~which~~ or human trafficking that occurred  
12 when the injured person was a child, but not discovered until  
13 after the injured person is of the age of majority, shall be  
14 brought within ~~four~~ five years from the time of discovery by  
15 the injured party of both the injury and the causal relationship  
16 between the injury and the sexual abuse or human trafficking.

17 Sec. 8. Section 710A.1, subsection 10, Code 2025, is amended  
18 to read as follows:

19 10. "Services" means ~~an ongoing relationship between a person~~  
20 ~~and the actor in which the person performs~~ performing activities  
21 under the supervision of or for the benefit of ~~the~~ an actor,  
22 including commercial sexual activity and sexually explicit  
23 performances.

24 Sec. 9. NEW SECTION. **710A.8 Deposition of a victim of human**  
25 **trafficking.**

26 1. For the purposes of this section, "video deposition" means  
27 the recording of video, with sound, of witness testimony made  
28 under oath to be entered in the record in a judicial proceeding.

29 2. In any criminal prosecution under this chapter, the court,  
30 upon motion of the county attorney or attorney general, for good  
31 cause shown and after notice to the defendant, may order the  
32 taking of a video deposition of a victim of human trafficking  
33 without regard to the age of the victim.

34 3. On any motion for a video deposition of the victim, the  
35 court shall consider the nature of the offense, the nature of

1 testimony that may be expected, and the possible effect that the  
2 testimony in person at trial may have on the victim.

3 4. During the recording of a video deposition authorized  
4 pursuant to this section, the following persons may be in the  
5 room with the victim:

6 a. The prosecuting attorney.

7 b. The attorney for the defendant.

8 c. A person whose presence, in the judgment of the court,  
9 contributes to the well-being of the victim and who has  
10 dealt with the victim in a therapeutic setting regarding the  
11 abuse, excluding staff, employees, or subcontractors, or experts  
12 employed or contracted by the prosecution.

13 d. Additional persons, other than the defendant, in the  
14 discretion of the court.

15 5. Examination and cross-examination of the victim shall  
16 proceed at the taking of the video deposition as though the  
17 victim was testifying personally in the trial of the case. The  
18 state shall provide the attorney for the defendant with a copy  
19 of the video deposition at a suitable and reasonable time prior  
20 to the trial of the case. The court, except upon motion of  
21 the attorney for the defendant, and upon good cause shown to  
22 disclose the video to certain specified individuals, shall enter  
23 a protective order prohibiting the attorney for the defendant  
24 from copying, reproducing, or distributing the video deposition.  
25 Objections to the introduction into the record of the deposition  
26 shall be heard by the judge in whose presence the deposition was  
27 taken, and unless the court determines that its introduction in  
28 lieu of the victim's actual appearance as a witness at the trial  
29 will unfairly prejudice the defendant, the video deposition shall  
30 be entered into the record by the state in lieu of the direct  
31 testimony of the victim and shall be viewed and heard at the  
32 trial of the case.

33 6. All costs associated with the recording of a deposition  
34 ordered pursuant to this section shall be paid by the state.

35 7. All recordings of video depositions ordered pursuant to

1 this section shall be subject to any protective order of the  
2 court for the purpose of protecting the privacy of the victim of  
3 the offense.

4 8. A video recording of a deposition shall be kept as other  
5 evidence and shall be held until the defendant is acquitted or  
6 is released from the custody of the department of corrections.  
7 A defendant may pay to have the recording retained for an  
8 additional period of time.

9 9. Only the court, the prosecuting attorney, and the attorney  
10 for the defendant may question the victim. During the testimony  
11 of the victim, the defendant shall be provided access to view  
12 the testimony by closed circuit television or other electronic  
13 method out of the presence of the victim and shall be allowed  
14 to communicate with the defendant's attorney by any appropriate  
15 method.

16 Sec. 10. Section 725.1, subsection 1, paragraph b, Code 2025,  
17 is amended to read as follows:

18 b. If the person who sells or offers for sale the person's  
19 services as a partner in a sex act is under the age of eighteen,  
20 the county attorney may elect, in lieu of filing a petition  
21 alleging that the person has committed a delinquent act, ~~to refer~~  
22 ~~that person~~ that the person shall not be arrested, charged, or  
23 prosecuted for an offense under this section, but instead may be  
24 taken into temporary custody under section 232.78 or 232.79 or  
25 shall be referred to the department of health and human services  
26 for the possible filing of a petition alleging that the person is  
27 a child in need of assistance.

28 Sec. 11. Section 910.1, subsections 1 and 2, Code 2025, are  
29 amended to read as follows:

30 1. "Category "A" restitution" means fines, penalties, the  
31 payment of crime victim compensation program reimbursements, and  
32 surcharges.

33 2. "Category "B" restitution" means the contribution of  
34 funds to a local anticrime organization ~~which~~ that provided  
35 assistance to law enforcement in an offender's case, ~~the payment~~

1 ~~of crime victim compensation program reimbursements~~, payment  
2 of restitution to public agencies pursuant to section 321J.2,  
3 subsection 13, paragraph "b", court costs, court-appointed  
4 attorney fees ordered pursuant to section 815.9, including  
5 the expense of a public defender, and payment to the medical  
6 assistance program pursuant to chapter 249A for expenditures paid  
7 on behalf of the victim resulting from the offender's criminal  
8 activities including investigative costs incurred by the Medicaid  
9 fraud control unit pursuant to section 249A.50.

10 Sec. 12. DEPARTMENT OF HEALTH AND HUMAN SERVICES —  
11 RESTORATION FACILITIES. The department of health and human  
12 services shall develop a plan in consultation with nonprofit  
13 service providers who provide restoration services to victims  
14 of human trafficking to increase the availability of restoration  
15 facilities and protective services available to juvenile victims  
16 of human trafficking, including juvenile victims who are not,  
17 at the time of victimization, either a child in need of  
18 assistance or otherwise involved in the juvenile court system.  
19 The department shall consider developing a network with other  
20 states to provide housing outside of the state for victims  
21 at risk of returning to the person involved in the victim's  
22 trafficking. The department of health and human services shall  
23 present a report detailing the plan to the governor and the  
24 general assembly by December 15, 2025.

25 Sec. 13. OFFICE OF THE ATTORNEY GENERAL — HUMAN TRAFFICKING  
26 — APPROPRIATION. There is appropriated from the general fund of  
27 the state to the office of the attorney general for the fiscal  
28 year beginning July 1, 2025, and ending June 30, 2026, the  
29 following amount, or so much thereof as is necessary, to be used  
30 for the purposes designated:

31 For the creation of a joint unit involving the attorney  
32 general's office, and the Iowa office to combat human trafficking  
33 within the division of intelligence and fusion center of the  
34 department of public safety, for the purpose of investigating and  
35 prosecuting human trafficking cases, collecting and analyzing

1 human trafficking data, evaluating the effectiveness of  
2 state-funded initiatives to combat human trafficking, and working  
3 with state agencies to report data on human trafficking  
4 investigations and prosecutions:

5 ..... \$ 750,000

6 EXPLANATION

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

9 This bill relates to human trafficking, including civil  
10 statutes of limitations, an annual stakeholder meeting and  
11 report, depositions of victims, restitution, restorative  
12 facilities and protective services, and investigation and  
13 prosecution.

14 The bill directs the office to combat human trafficking within  
15 the department of public safety to hold an annual meeting of  
16 stakeholders to develop legislative proposals to combat human  
17 trafficking, and submit a report to the governor and general  
18 assembly by December 15, 2025, and annually thereafter for five  
19 years until the submission of the report in 2030. The bill  
20 specifies the participants in the meeting.

21 The bill increases the statute of limitations for commencing  
22 an action for sexual abuse or human trafficking of a minor or  
23 child to five years after the victim has attained 18 years of  
24 age.

25 The bill defines "commercial sexual exploitation" as causing a  
26 child, by force, fraud, or coercion, to engage in sex or sexually  
27 explicit activities for money, goods, services, or the promise of  
28 money, goods, or services.

29 The bill requires the juvenile court or the court's designee  
30 to order a child screened for exploitation when the court  
31 receives a complaint alleging that the child committed a  
32 delinquent act.

33 The bill requires the department of health and human services  
34 (HHS) to screen a child for exploitation if HHS determines a  
35 report it receives alleging child abuse constitutes a child abuse

1 allegation.

2 The bill requires the juvenile court to order a substance use  
3 disorder screening of a child prior to the final disposition of  
4 the child's case.

5 The bill provides that the time limitations for actions are  
6 extended in favor of minors so that they have five years from  
7 reaching the age of majority to make a claim.

8 The bill provides that in any criminal prosecution under Code  
9 chapter 710A (human trafficking), the court, upon motion of the  
10 county attorney or attorney general, for good cause shown and  
11 after notice to the defendant, may order the taking of a video  
12 deposition of a victim of human trafficking without regard to the  
13 age of the victim. The court shall consider the nature of the  
14 offense, the nature of testimony that may be expected, and the  
15 possible effect that the testimony in person at trial may have on  
16 the victim.

17 The bill provides that during the recording of a video  
18 deposition, the following persons may be in the room with  
19 the victim: the prosecuting attorney; the attorney for the  
20 defendant; a person whose presence, in the judgment of the  
21 court, contributes to the well-being of the victim and who  
22 has dealt with the victim in a therapeutic setting regarding  
23 the abuse, excluding staff, employees, or subcontractors, or  
24 experts employed or contracted by the prosecution; and additional  
25 persons, other than the defendant, in the discretion of the  
26 court.

27 The bill provides that examination and cross-examination of  
28 the victim shall proceed at the taking of the video deposition  
29 as though the victim was testifying personally in the trial of  
30 the case. The state shall provide the attorney for the defendant  
31 with a copy of the video deposition prior to the trial of the  
32 case. Objections to the introduction into the record of the  
33 deposition shall be heard by the judge in whose presence the  
34 deposition was taken, and unless the court determines that its  
35 introduction in lieu of the victim's actual appearance as a

1 witness at the trial will unfairly prejudice the defendant, the  
2 video deposition shall be entered into the record by the state  
3 in lieu of the direct testimony of the victim and shall be  
4 viewed and heard at the trial of the case. Only the court,  
5 the prosecuting attorney, and the attorney for the defendant may  
6 question the victim. During the testimony of the victim, the  
7 defendant shall be provided access by closed circuit television  
8 or other electronic means to view the testimony out of the  
9 presence of the victim and shall be allowed to communicate with  
10 the defendant's attorney by any appropriate method.

11 The bill provides that if a person who sells or offers for  
12 sale the person's services as a partner in a sex act is under  
13 the age of 18, the county attorney may elect, in lieu of filing a  
14 petition alleging that the person has committed a delinquent act,  
15 that the person shall not be arrested, charged, or prosecuted  
16 for the offense, but instead may be taken into temporary custody  
17 under Code section 232.78 or 232.79 or shall be referred to HHS  
18 for the possible filing of a petition alleging that the person is  
19 a child in need of assistance.

20 Current law provides that "category "A" restitution" means  
21 fines, penalties, and surcharges, and "category "B" restitution"  
22 means the contribution of funds to a local anticrime organization  
23 which provided assistance to law enforcement in an offender's  
24 case, the payment of crime victim compensation program  
25 reimbursements, payment of restitution to public agencies  
26 pursuant to Code section 321J.2(13)(b) (operating while under  
27 the influence), court costs, court-appointed attorney fees, and  
28 payment to the medical assistance program.

29 The bill provides that the payment of crime victim  
30 compensation program reimbursements is category "A" restitution.

31 The bill directs HHS to develop a plan in consultation with  
32 nonprofit service providers who provide restoration services  
33 to victims of human trafficking to increase the availability  
34 of restoration facilities and protective services available to  
35 juvenile victims of human trafficking, including juvenile victims

1 who are not, at the time of victimization, either a child in need  
2 of assistance or otherwise involved in the juvenile court system.  
3 HHS shall consider developing a network with other states to  
4 provide housing outside of the state for victims at risk of  
5 returning to the person involved in the victim's trafficking. A  
6 report detailing the plan shall be presented to the governor and  
7 the general assembly by December 15, 2025.

8 The bill appropriates from the general fund of the state  
9 to the office of the attorney general for the fiscal year  
10 beginning July 1, 2025, and ending June 30, 2026, \$750,000 to  
11 be used for the purpose of creating a joint unit involving  
12 the attorney general's office, and the Iowa office to combat  
13 human trafficking within the division of intelligence and  
14 fusion center of the department of public safety, for the  
15 purpose of investigating and prosecuting human trafficking cases,  
16 collecting and analyzing human trafficking data, evaluating  
17 the effectiveness of state-funded initiatives to combat human  
18 trafficking, and working with state agencies to report data on  
19 human trafficking investigations and prosecutions.