



General Assembly

January Session, 2013

***Raised Bill No. 6696***

LCO No. 5425



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING ENHANCED STATE EFFORTS TO PREVENT HUMAN TRAFFICKING.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53a-192a of the general statutes is repealed and  
2 the following is substituted in lieu thereof (*Effective October 1, 2013*):

3 (a) A person is guilty of trafficking in persons when such person  
4 [commits] by means of (1) a threat of force or use of force, (2) fraud, or  
5 (3) coercion as provided in section 53a-192, [and the other person is  
6 compelled or induced to (1) engage in conduct that constitutes a  
7 violation of section 53a-82] compels or induces another person to (A)  
8 engage in conduct involving sexual contact, as defined in section 53a-  
9 65, or [(2)] (B) provide labor or services.

10 (b) Trafficking in persons is a class B felony.

11 Sec. 2. Section 53a-83 of the general statutes is repealed and the  
12 following is substituted in lieu thereof (*Effective October 1, 2013*):

13 (a) A person is guilty of patronizing a prostitute when: (1) Pursuant

14 to a prior understanding, he pays a fee to another person as  
15 compensation for such person or a third person having engaged in  
16 sexual conduct with him; or (2) he pays or agrees to pay a fee to  
17 another person pursuant to an understanding that in return therefor  
18 such person or a third person will engage in sexual conduct with him;  
19 or (3) he solicits or requests another person to engage in sexual  
20 conduct with him in return for a fee.

21 (b) [Patronizing] Except as provided in subsections (c) and (d) of  
22 this section, patronizing a prostitute is a class A misdemeanor.

23 (c) Patronizing a prostitute knowing that such person has not  
24 attained eighteen years of age is a class B felony.

25 (d) Patronizing a prostitute knowing that such person is a victim of  
26 human trafficking is a class B felony.

27 Sec. 3. (NEW) (*Effective October 1, 2013*) At any time after an order of  
28 conviction is entered pursuant to section 53a-82 of the general statutes,  
29 the defendant may apply to the Superior Court to have such order  
30 vacated on the basis that such defendant was a victim of trafficking in  
31 persons under section 53a-192a of the general statutes, as amended by  
32 this act, or under the federal Trafficking Victims Protection Act, 22  
33 USC 7101 et seq., at the time of the offense and was coerced into  
34 committing such offense. Prior to rendering a decision on a  
35 defendant's application to vacate such order, the court shall afford the  
36 prosecutor a reasonable opportunity to investigate the defendant's  
37 claim and an opportunity to be heard to contest the defendant's  
38 application. If the court finds that the defendant was a victim of  
39 trafficking in persons at the time of the offense and was coerced into  
40 committing such offense, the court shall vacate the order of conviction  
41 and dismiss any charges related to the offense.

42 Sec. 4. (*Effective from passage*) (a) There is established a task force to  
43 study data relating to human trafficking in the state. The study shall  
44 include an examination of deficiencies in state law relating to human

45 trafficking along with recommendations to enhance statutory  
46 protections prohibiting human trafficking.

47 (b) The task force shall consist of the following members:

48 (1) The speaker of the House of Representatives;

49 (2) The president pro tempore of the Senate;

50 (3) The minority leader of the House of Representatives;

51 (4) The minority leader of the Senate;

52 (5) One appointed by the speaker of the House of Representatives  
53 who shall be a municipal police officer;

54 (6) The Commissioner of Emergency Services and Public Protection,  
55 or the commissioner's designee;

56 (7) The Commissioner of Children and Families, or the  
57 commissioner's designee;

58 (8) The Chief State's Attorney, or the Chief State's Attorney's  
59 designee;

60 (9) The Victim Advocate; and

61 (10) Two persons appointed by the Governor with expertise in  
62 issues relating to human trafficking in this state.

63 (c) All appointments to the task force shall be made not later than  
64 thirty days after the effective date of this section. Any vacancy shall be  
65 filled by the appointing authority.

66 (d) The task force shall select a chairperson from among its  
67 membership. The chairperson shall schedule the first meeting of the  
68 task force, which shall be held not later than sixty days after the  
69 effective date of this section.

70 (e) The administrative staff of the joint standing committee of the  
71 General Assembly having cognizance of matters relating to the  
72 judiciary shall serve as administrative staff of the task force.

73 (f) Not later than January 1, 2014, the task force shall submit a report  
74 on its findings and recommendations to the joint standing committee  
75 of the General Assembly having cognizance of matters relating to the  
76 judiciary, in accordance with the provisions of section 11-4a of the  
77 general statutes. The task force shall terminate on the date that it  
78 submits such report or January 1, 2014, whichever is later.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	53a-192a
Sec. 2	<i>October 1, 2013</i>	53a-83
Sec. 3	<i>October 1, 2013</i>	New section
Sec. 4	<i>from passage</i>	New section

**Statement of Purpose:**

To (1) revise the statutory criteria relating to the criminal offense of trafficking in persons, (2) increase criminal penalties for persons who patronize a prostitute who is under eighteen years of age or a victim of human trafficking, (3) allow the Superior Court to vacate criminal convictions for prostitution involving victims of human trafficking, and (4) establish a task force that will study the implementation of state initiatives designed to reduce and prevent human trafficking.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*