



General Assembly

January Session, 2019

Raised Bill No. 7399

LCO No. 6617



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING LEGAL PROTECTIONS FOR THE VICTIMS OF HUMAN TRAFFICKING AND THE PROTECTION OF MINORS FROM CYBER EXPLOITATION.

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

1 Section 1. Subsection (b) of section 46a-170 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2019*):

4 (b) The council shall consist of the following members: (1) The Chief
5 State's Attorney, or a designee; (2) the Chief Public Defender, or a
6 designee; (3) the Commissioner of Emergency Services and Public
7 Protection, or the commissioner's designee; (4) the Labor
8 Commissioner, or the commissioner's designee; (5) the Commissioner
9 of Social Services, or the commissioner's designee; (6) the
10 Commissioner of Public Health, or the commissioner's designee; (7) the
11 Commissioner of Mental Health and Addiction Services, or the
12 commissioner's designee; (8) the Commissioner of Children and
13 Families, or the commissioner's designee; (9) the Commissioner of
14 Consumer Protection, or the commissioner's designee; (10) the director

15 of the Basic Training Division of the Police Officer Standards and
16 Training Council, or the director's designee; (11) the Child Advocate,
17 or the Child Advocate's designee; (12) the Victim Advocate, or the
18 Victim Advocate's designee; (13) the chairperson of the Commission
19 on Women, Children and Seniors or the chairperson's designee; (14)
20 one representative of the Office of Victim Services of the Judicial
21 Branch appointed by the Chief Court Administrator; (15) a municipal
22 police chief appointed by the Connecticut Police Chiefs Association, or
23 a designee; (16) the Commissioner of Education, or the commissioner's
24 designee; (17) an adult victim of trafficking, appointed by the
25 Governor; [and (18) ten] (18) a judge of the Superior Court appointed
26 by the Chief Court Administrator; (19) a state's attorney appointed by
27 the Chief State's Attorney; (20) a public defender appointed by the
28 Chief Public Defender; and (21) twelve public members appointed as
29 follows: The Governor shall appoint two members, one of whom shall
30 represent victims of commercial exploitation of children and one of
31 whom shall represent sex trafficking victims who are children, the
32 president pro tempore of the Senate shall appoint two members, one of
33 whom shall represent the Connecticut Alliance to End Sexual Violence
34 and one of whom shall represent an organization that provides civil
35 legal services to low-income individuals, the speaker of the House of
36 Representatives shall appoint two members, one of whom shall
37 represent the Connecticut Coalition Against Domestic Violence and
38 one of whom shall represent the Connecticut Lodging Association, the
39 majority leader of the Senate shall appoint [one member who] two
40 members, one of whom shall represent an organization that deals with
41 behavioral health needs of women and children and one of whom shall
42 represent the Connecticut Coalition to End Homelessness, the majority
43 leader of the House of Representatives shall appoint [one member
44 who] two members, one of whom shall represent an organization that
45 advocates on social justice and human rights issues and one of whom
46 shall represent the Connecticut Criminal Defense Lawyers Association,
47 the minority leader of the Senate shall appoint one member who shall
48 represent the Connecticut Immigrant and Refugee Coalition, and the
49 minority leader of the House of Representatives shall appoint one

50 member who shall represent the Motor Transport Association of
51 Connecticut, Inc.

52 Sec. 2. Section 52-146k of the general statutes is repealed and the
53 following is substituted in lieu thereof (*Effective October 1, 2019*):

54 (a) As used in this section:

55 (1) "Child anti-trafficking agency" means any office, shelter or
56 agency offering assistance to victims of child trafficking through crisis
57 intervention, advocacy and counseling, which meets the Department
58 of Children and Families criteria of service provision for such agencies.

59 (2) "Child anti-trafficking counselor" means any person engaged in a
60 child anti-trafficking agency (A) who has undergone a minimum of
61 forty hours of training which shall include, but not be limited to, the
62 dynamics of human trafficking, crisis intervention, child and
63 adolescent brain development, working with diverse populations, an
64 overview of the state criminal justice system and information about
65 state and community resources for victims of child trafficking, (B) who
66 is certified as a counselor by the child anti-trafficking agency that
67 provided such training, (C) who is under the control of a direct service
68 supervisor of a child anti-trafficking agency, and (D) whose primary
69 purpose is the rendering of advice, counsel and assistance to victims of
70 child trafficking to address a mental, physical or emotional condition
71 caused by human trafficking, and to provide advocacy and support for
72 the elimination of child trafficking.

73 [(1)] (3) "Domestic violence agency" means any office, shelter, host
74 home or agency offering assistance to victims of domestic violence
75 through crisis intervention, emergency shelter referral and medical
76 and legal advocacy, and which meets the Department of Social
77 Services criteria of service provision for such agencies.

78 [(2)] (4) "Domestic violence counselor" means any person engaged
79 in a domestic violence agency (A) who has undergone a minimum of
80 twenty hours of training which shall include, but not be limited to, the

81 dynamics of domestic violence, crisis intervention, communication
82 skills, working with diverse populations, an overview of the state
83 criminal justice system and information about state and community
84 resources for victims of domestic violence, (B) who is certified as a
85 counselor by the domestic violence agency that provided such
86 training, (C) who is under the control of a direct service supervisor of a
87 domestic violence agency, and (D) whose primary purpose is the
88 rendering of advice, counsel and assistance to, and the advocacy of the
89 cause of, victims of domestic violence.

90 [(3)] (5) "Confidential communication" means information
91 transmitted between a victim of domestic violence, [or] a victim of a
92 sexual assault or a victim of child trafficking and a domestic violence
93 counselor, [or] a sexual assault counselor or a child anti-trafficking
94 counselor in the course of that relationship and in confidence by a
95 means which, so far as the victim is aware, does not disclose the
96 information to a third person other than any person who is present to
97 further the interests of the victim in the consultation or any person to
98 whom disclosure is reasonably necessary for the transmission of the
99 information or for the accomplishment of the purposes for which such
100 counselor is consulted, and includes all information received by, and
101 any advice, report or working paper given or made by, such counselor
102 in the course of the relationship with the victim.

103 [(4)] (6) "Rape crisis center" means any office, institution or center
104 offering assistance to victims of sexual assault and their families
105 through crisis intervention, medical and legal advocacy and follow-up
106 counseling.

107 [(5)] (7) "Sexual assault counselor" means (A) any person engaged in
108 a rape crisis center who (i) has undergone a minimum of twenty hours
109 of training which shall include, but not be limited to, the dynamics of
110 sexual assault and incest, crisis intervention, communication skills,
111 working with diverse populations, an overview of the state criminal
112 justice system, information about hospital and medical systems and
113 information about state and community resources for sexual assault

114 victims, (ii) is certified as a counselor by the sexual assault center
115 which has provided such training, (iii) is under the control of a direct
116 services supervisor of a rape crisis center, and (iv) whose primary
117 purpose is the rendering of advice, counseling and assistance to, and
118 the advocacy of the cause of, victims of sexual assault, or (B) any
119 member of the armed forces of the state or the United States who is
120 trained and certified as a victim advocate or a sexual assault
121 prevention coordinator in accordance with the military's sexual assault
122 prevention and response program.

123 ~~[(6)]~~ (8) "Victim" means any person who consults a domestic
124 violence counselor or a sexual assault counselor for the purpose of
125 securing advice, counseling or assistance concerning a mental, physical
126 or emotional condition caused by domestic violence or a sexual
127 assault.

128 (9) "Victim of child trafficking" means any person under the age of
129 eighteen who consults a child anti-trafficking counselor who (A) has
130 been subjected to trafficking in persons as described in section 53a-
131 192a, or (B) is a victim of trafficking as defined in 22 USC 7102.

132 (b) On or after October 1, 1983, a domestic violence counselor or a
133 sexual assault counselor shall not disclose any confidential
134 communications made to such counselor at any time by a victim in any
135 civil or criminal case or proceeding or in any legislative or
136 administrative proceeding unless the victim making the confidential
137 communications waives the privilege, provided under no
138 circumstances shall the location of the domestic violence agency or
139 rape crisis center or the identity of the domestic violence counselor or
140 sexual assault counselor be disclosed in any civil or criminal
141 proceeding. Any request made on or after October 1, 1983, by the
142 defendant or the state for such confidential communications shall be
143 subject to the provisions of this subsection.

144 (c) Except as provided in this subsection, a child anti-trafficking
145 counselor shall not disclose any confidential communications made to

146 such counselor at any time by a victim of child trafficking in any civil
147 or criminal case or proceeding or in any legislative or administrative
148 proceeding. A child anti-trafficking counselor may disclose
149 confidential communications made to such counselor to counsel of
150 record for a victim of child trafficking in a delinquency proceeding or a
151 criminal prosecution on the regular criminal docket of the Superior
152 Court when required by law. Any provision of documents to counsel
153 of record for a victim of child trafficking shall not otherwise negate the
154 confidentiality provided in this subsection.

155 [(c)] (d) When a victim or a victim of child trafficking is deceased or
156 has been adjudged incompetent by a court of competent jurisdiction,
157 the guardian of the victim or victim of child trafficking or the executor
158 or administrator of the estate of the victim or victim of child trafficking
159 may waive the privilege established by this section.

160 [(d)] (e) A minor may knowingly waive the privilege established by
161 this section. In any instance where the minor is, in the opinion of the
162 court, incapable of knowingly waiving the privilege, the parent or
163 guardian of the minor may waive the privilege on behalf of the minor,
164 provided the parent or guardian is not the defendant and does not
165 have a relationship with the defendant such that the parent or
166 guardian has an interest in the outcome of the proceeding.

167 [(e)] (f) The privilege established by this section shall not apply: (1)
168 In matters of proof concerning chain of custody of evidence; (2) in
169 matters of proof concerning the physical appearance of the victim or
170 victim of child trafficking at the time of the injury; or (3) where the
171 domestic violence counselor, [or] sexual assault counselor or child anti-
172 trafficking counselor has knowledge that the victim or victim of child
173 trafficking has given perjured testimony and the defendant or the state
174 has made an offer of proof that perjury may have been committed by
175 the victim or victim of child trafficking.

176 [(f)] (g) The failure of any party to testify as a witness pursuant to
177 the provisions of this section shall not result in an inference

178 unfavorable to the state's cause or to the cause of the defendant.

179 Sec. 3. Subsection (b) of section 17a-101 of the general statutes is
180 repealed and the following is substituted in lieu thereof (*Effective*
181 *October 1, 2019*):

182 (b) The following persons shall be mandated reporters: (1) Any
183 physician or surgeon licensed under the provisions of chapter 370, (2)
184 any resident physician or intern in any hospital in this state, whether
185 or not so licensed, (3) any registered nurse, (4) any licensed practical
186 nurse, (5) any medical examiner, (6) any dentist, (7) any dental
187 hygienist, (8) any psychologist, (9) any school employee, as defined in
188 section 53a-65, (10) any social worker, (11) any person who holds or is
189 issued a coaching permit by the State Board of Education, is a coach of
190 intramural or interscholastic athletics and is eighteen years of age or
191 older, (12) any individual who is employed as a coach or director of
192 youth athletics and is eighteen years of age or older, (13) any
193 individual who is employed as a coach or director of a private youth
194 sports organization, league or team and is eighteen years of age or
195 older, (14) any paid administrator, faculty, staff, athletic director,
196 athletic coach or athletic trainer employed by a public or private
197 institution of higher education who is eighteen years of age or older,
198 excluding student employees, (15) any police officer, (16) any juvenile
199 or adult probation officer, (17) any juvenile or adult parole officer, (18)
200 any member of the clergy, (19) any pharmacist, (20) any physical
201 therapist, (21) any optometrist, (22) any chiropractor, (23) any
202 podiatrist, (24) any mental health professional, (25) any physician
203 assistant, (26) any person who is a licensed or certified emergency
204 medical services provider, (27) any person who is a licensed or
205 certified alcohol and drug counselor, (28) any person who is a licensed
206 marital and family therapist, (29) any person who is a sexual assault
207 counselor, [or] a domestic violence counselor or a child anti-trafficking
208 counselor, as such terms are defined in section 52-146k, as amended by
209 this act, (30) any person who is a licensed professional counselor, (31)
210 any person who is a licensed foster parent, (32) any person paid to care
211 for a child in any public or private facility, child care center, group

212 child care home or family child care home licensed by the state, (33)
213 any employee of the Department of Children and Families, (34) any
214 employee of the Department of Public Health, (35) any employee of the
215 Office of Early Childhood who is responsible for the licensing of child
216 care centers, group child care homes, family child care homes or youth
217 camps, (36) any paid youth camp director or assistant director, (37) the
218 Child Advocate and any employee of the Office of the Child Advocate,
219 (38) any person who is a licensed behavior analyst, and (39) any family
220 relations counselor, family relations counselor trainee or family
221 services supervisor employed by the Judicial Department.

222 Sec. 4. Subsection (c) of section 20-195bb of the general statutes is
223 repealed and the following is substituted in lieu thereof (*Effective*
224 *October 1, 2019*):

225 (c) No license as a professional counselor shall be required of the
226 following: (1) A person who furnishes uncompensated assistance in an
227 emergency; (2) a clergyman, priest, minister, rabbi or practitioner of
228 any religious denomination accredited by the religious body to which
229 the person belongs and settled in the work of the ministry, provided
230 the activities that would otherwise require a license as a professional
231 counselor are within the scope of ministerial duties; (3) a sexual assault
232 counselor or a child anti-trafficking counselor, as such terms are
233 defined in section 52-146k, as amended by this act; (4) a person
234 participating in uncompensated group or individual counseling; (5) a
235 person with a master's degree in a health-related or human services-
236 related field employed by a hospital, as defined in subsection (b) of
237 section 19a-490, performing services in accordance with section 20-
238 195aa under the supervision of a person licensed by the state in one of
239 the professions identified in clauses (i) to (vii), inclusive, of
240 subparagraph (C) of subdivision (1) of subsection (a) of section 20-
241 195dd; (6) a person licensed or certified by any agency of this state and
242 performing services within the scope of practice for which licensed or
243 certified; (7) a student, intern or trainee pursuing a course of study in
244 counseling in a regionally accredited institution of higher education,
245 provided the activities that would otherwise require a license as a

246 professional counselor are performed under supervision and constitute
247 a part of a supervised course of study; (8) a person employed by an
248 institution of higher education to provide academic counseling in
249 conjunction with the institution's programs and services; (9) a
250 vocational rehabilitation counselor, job counselor, credit counselor,
251 consumer counselor or any other counselor or psychoanalyst who does
252 not purport to be a counselor whose primary service is the application
253 of established principles of psycho-social development and behavioral
254 science to the evaluation, assessment, analysis and treatment of
255 emotional, behavioral or interpersonal dysfunction or difficulties that
256 interfere with mental health and human development; or (10) a person
257 who earned a degree in accordance with the requirements of
258 subdivision (2) of subsection (a) of section 20-195dd, provided (A) the
259 activities performed and services provided by such person constitute
260 part of the supervised experience required for licensure under
261 subdivision (3) of subsection (a) of said section, and (B) not later than
262 two years after completion of such supervised experience, the
263 exemption to the licensure requirement shall cease if the person did
264 not successfully complete the licensing examination, as required under
265 subdivision (4) of subsection (a) of said section.

266 Sec. 5. Subsection (a) of section 46a-11b of the general statutes is
267 repealed and the following is substituted in lieu thereof (*Effective*
268 *October 1, 2019*):

269 (a) Any physician or surgeon licensed under the provisions of
270 chapter 370, any resident physician or intern in any hospital in this
271 state, whether or not so licensed, any registered nurse, any person paid
272 for caring for persons in any facility and any licensed practical nurse,
273 medical examiner, dental hygienist, dentist, occupational therapist,
274 optometrist, chiropractor, psychologist, podiatrist, social worker,
275 school teacher, school principal, school guidance counselor, school
276 counselor, school paraprofessional, licensed behavior analyst, mental
277 health professional, physician assistant, licensed or certified substance
278 abuse counselor, licensed marital and family therapist, speech and
279 language pathologist, clergyman, police officer, pharmacist, physical

280 therapist, licensed professional counselor, [or] sexual assault counselor
281 as defined in section 52-146k, as amended by this act, [or] domestic
282 violence counselor [,] as defined in section 52-146k, as amended by this
283 act, or a child anti-trafficking counselor as defined in section 52-146k,
284 as amended by this act, who has reasonable cause to suspect or believe
285 that any person with intellectual disability or any person who receives
286 services from the Department of Social Services' Division of Autism
287 Spectrum Disorder Services has been abused or neglected shall, as
288 soon as practicable but not later than forty-eight hours after such
289 person has reasonable cause to suspect or believe that a person with
290 intellectual disability or any person who receives services from the
291 Department of Social Services' Division of Autism Spectrum Disorder
292 Services has been abused or neglected, report such information or
293 cause a report to be made in any reasonable manner to the
294 commissioner, or the commissioner's designee. An unsuccessful
295 attempt to make an initial report to the commissioner, or the
296 commissioner's designee, on a weekend, holiday or after normal
297 business hours shall not be construed as a violation of this section if
298 reasonable attempts are made by a person required to report under
299 this subsection to reach the commissioner, or the commissioner's
300 designee, as soon as practicable after the initial attempt. The initial
301 report shall be followed up by a written report not later than five
302 calendar days after the initial report was made. Any person required to
303 report under this subsection who fails to make such report shall be
304 fined not more than five hundred dollars. For purposes of this
305 subsection, "reasonable manner" and "reasonable attempts" mean
306 efforts that include, but are not limited to, efforts to reach the
307 commissioner, or the commissioner's designee, by phone, in person or
308 by electronic mail.

309 Sec. 6. Subdivision (6) of section 54-203 of the general statutes is
310 repealed and the following is substituted in lieu thereof (*Effective*
311 *October 1, 2019*):

312 (6) To provide each person who applies for compensation pursuant
313 to section 54-204, within ten days of the date of receipt of such

314 application, with a written list of rights of victims of crime involving
315 personal injury and the programs available in this state to assist such
316 victims. The Office of Victim Services, the state or any agent, employee
317 or officer thereof shall not be liable for the failure to supply such list or
318 any alleged inadequacies of such list. Such list shall include, but not be
319 limited to:

320 (A) Subject to the provisions of sections 18-81e and 51-286e, the
321 victim shall have the right to be informed concerning the status of his
322 or her case and to be informed of the release from custody of the
323 defendant;

324 (B) Subject to the provisions of section 54-91c, the victim shall have
325 the right to present a statement of his or her losses, injuries and wishes
326 to the prosecutor and the court prior to the acceptance by the court of a
327 plea of guilty or nolo contendere made pursuant to a plea agreement
328 with the state wherein the defendant pleads to a lesser offense than the
329 offense with which the defendant was originally charged;

330 (C) Subject to the provisions of section 54-91c, prior to the
331 imposition of sentence upon the defendant, the victim shall have the
332 right to submit a statement to the prosecutor as to the extent of any
333 injuries, financial losses and loss of earnings directly resulting from the
334 crime. Upon receipt of the statement, the prosecutor shall file the
335 statement with the sentencing court and the statement shall be made a
336 part of the record and considered by the court at the sentencing
337 hearing;

338 (D) Subject to the provisions of section 54-126a, the victim shall have
339 the right to appear before a panel of the Board of Pardons and Paroles
340 and make a statement as to whether the defendant should be released
341 on parole and any terms or conditions to be imposed upon any such
342 release;

343 (E) Subject to the provisions of section 54-36a, the victim shall have
344 the right to have any property the victim owns which was seized by
345 police in connection with an arrest to be returned;

346 (F) Subject to the provisions of sections 54-56e and 54-142c, the
347 victim shall have the right to be notified of the application by the
348 defendant for the pretrial program for accelerated rehabilitation and to
349 obtain from the court information as to whether the criminal
350 prosecution in the case has been dismissed;

351 (G) Subject to the provisions of section 54-85b, the victim cannot be
352 fired, harassed or otherwise retaliated against by an employer for
353 appearing under a subpoena as a witness in any criminal prosecution;

354 (H) Subject to the provisions of section 54-86g, the parent or legal
355 guardian of a child twelve years of age or younger who is a victim of
356 child abuse or sexual assault may request special procedural
357 considerations to be taken during the testimony of the child;

358 (I) Subject to the provisions of section 46b-15, the victim of assault
359 by a spouse or former spouse, family or household member has the
360 right to request the arrest of the offender, request a protective order
361 and apply for a restraining order;

362 (J) Subject to the provisions of sections 52-146k, as amended by this
363 act, 54-86e and 54-86f, the victim of sexual assault or domestic violence
364 or a victim of child trafficking can expect certain records to remain
365 confidential; and

366 (K) Subject to the provisions of section 53a-32, the victim and any
367 victim advocate assigned to assist the victim may receive notification
368 from a probation officer whenever the officer has notified a police
369 officer that the probation officer has probable cause to believe that the
370 offender has violated a condition of such offender's probation;

371 Sec. 7. Subsection (d) of section 54-209 of the general statutes is
372 repealed and the following is substituted in lieu thereof (*Effective*
373 *October 1, 2019*):

374 (d) In instances where a violation of section 53-21, 53a-70, 53a-70a,
375 53a-70b, 53a-70c, 53a-71, 53a-72a, 53a-72b, 53a-73a, 53a-82 or 53a-192a

376 has been alleged, the Office of Victim Services or, on review, a victim
377 compensation commissioner, may order compensation be paid if (1)
378 the personal injury has been disclosed to: (A) A physician or surgeon
379 licensed under chapter 370; (B) a resident physician or intern in any
380 hospital in this state, whether or not licensed; (C) a physician assistant
381 licensed under chapter 370; (D) an advanced practice registered nurse,
382 registered nurse or practical nurse licensed under chapter 378; (E) a
383 psychologist licensed under chapter 383; (F) a police officer; (G) a
384 mental health professional; (H) an emergency medical services
385 provider licensed or certified under chapter 368d; (I) an alcohol and
386 drug counselor licensed or certified under chapter 376b; (J) a marital
387 and family therapist licensed under chapter 383a; (K) a domestic
388 violence counselor, [or] a sexual assault counselor or a child anti-
389 trafficking counselor, as defined in section 52-146k, as amended by this
390 act; (L) a professional counselor licensed under chapter 383c; (M) a
391 clinical social worker licensed under chapter 383b; (N) an employee of
392 the Department of Children and Families; or (O) a school principal, a
393 school teacher, a school guidance counselor or a school counselor, and
394 (2) the office or commissioner, as the case may be, reasonably
395 concludes that a violation of any of said sections has occurred.

396 Sec. 8. Subsection (a) of section 54-47a of the general statutes is
397 repealed and the following is substituted in lieu thereof (*Effective*
398 *October 1, 2019*):

399 (a) Whenever in the judgment of the Chief State's Attorney, a state's
400 attorney or the deputy chief state's attorney, the testimony of any
401 witness or the production of books, papers or other evidence of any
402 witness (1) in any criminal proceeding involving narcotics, arson,
403 bribery, gambling, election law violations, felonious crimes of violence,
404 any violation which is an offense under the provisions of title 22a,
405 corruption in the executive, legislative or judicial branch of state
406 government or in the government of any political subdivision of the
407 state, fraud by a vendor of goods or services in the medical assistance
408 program under Title XIX of the Social Security Act amendments of
409 1965, as amended, any violation of chapter 949c, or any other class A, B

410 or C felony or unclassified felony punishable by a term of
411 imprisonment in excess of five years for which the Chief State's
412 Attorney or state's attorney demonstrates that he has no other means
413 of obtaining sufficient information as to whether a crime has been
414 committed or the identity of the person or persons who may have
415 committed a crime, before a court or grand jury of this state, [or] (2) in
416 any investigation conducted by an investigatory grand jury as
417 provided in sections 54-47b to 54-47g, inclusive, or (3) in any
418 delinquency proceeding, is necessary to the public interest, the Chief
419 State's Attorney, the state's attorney, or the deputy chief state's
420 attorney, may, with notice to the witness, after the witness has claimed
421 his privilege against self-incrimination, make application to the court
422 for an order directing the witness to testify or produce evidence subject
423 to the provisions of this section.

424 Sec. 9. (NEW) (*Effective October 1, 2019*) In any prosecution for an
425 offense under title 53a of the general statutes or in any delinquency
426 proceeding, it shall be an affirmative defense that the actor's
427 participation in the offense occurred while he or she was a minor and
428 was a result of having been a victim of conduct of another person that
429 constitutes (1) a violation of section 53a-192a of the general statutes, or
430 (2) a criminal violation of 18 USC 77, as amended from time to time.

431 Sec. 10. Section 53a-83b of the general statutes is repealed and the
432 following is substituted in lieu thereof (*Effective October 1, 2019*):

433 (a) A person is guilty of commercial sexual abuse of a minor when:
434 (1) Such person pays a fee to a minor or third person as compensation
435 for a minor having engaged in sexual conduct with such person; (2)
436 such person pays or agrees to pay a fee to a minor or a third person
437 pursuant to an understanding that in return for such fee the minor will
438 engage in sexual conduct with such person; or (3) such person solicits
439 or requests to engage in sexual conduct with a minor, or any other
440 person that such person reasonably believes to be a minor, in return
441 for a fee.

442 (b) Except as provided in subsection (c) of this section, commercial
 443 sexual abuse of a minor is a class B felony.

444 (c) Commercial sexual abuse of a minor is a class A felony if the
 445 minor has not attained fifteen years of age.

446 (d) For purposes of this section, "minor" means a person who has
 447 not attained eighteen years of age, "sexual conduct" may include
 448 sexual conduct using an interactive computer service, "interactive
 449 computer service" has the same meaning as provided in section 53a-
 450 90a.

| | | |
|---|------------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>July 1, 2019</i> | 46a-170(b) |
| Sec. 2 | <i>October 1, 2019</i> | 52-146k |
| Sec. 3 | <i>October 1, 2019</i> | 17a-101(b) |
| Sec. 4 | <i>October 1, 2019</i> | 20-195bb(c) |
| Sec. 5 | <i>October 1, 2019</i> | 46a-11b(a) |
| Sec. 6 | <i>October 1, 2019</i> | 54-203(6) |
| Sec. 7 | <i>October 1, 2019</i> | 54-209(d) |
| Sec. 8 | <i>October 1, 2019</i> | 54-47a(a) |
| Sec. 9 | <i>October 1, 2019</i> | New section |
| Sec. 10 | <i>October 1, 2019</i> | 53a-83b |

Statement of Purpose:

To: (1) Provide greater legal protections for the victims of human trafficking; and (2) include online or Internet-based sexual conduct with a minor paid for by another person as a form of sexual abuse of a minor.

[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.]