

Superseded 5/13/2014

76-5-309 Human trafficking and human smuggling -- Penalties.

- (1) Human trafficking for forced labor and human trafficking for forced sexual exploitation are each a second degree felony, except under Section 76-5-310.
- (2) Human smuggling, under Section 76-5-308 of one or more persons is a third degree felony, except under Section 76-5-310.
- (3) Human trafficking for forced labor or for forced sexual exploitation and human smuggling are each a separate offense from any other crime committed in relationship to the commission of either of these offenses.
- (4) Under circumstances not amounting to aggravated sexual abuse of a child, a violation of Subsection 76-5-404.1(4)(h)(i), a person who benefits, receives, or exchanges anything of value from knowing participation in:
 - (a) human trafficking for forced labor or for forced sexual exploitation in violation of Section 76-5-308 is guilty of a second degree felony; and
 - (b) human smuggling is guilty of a third degree felony.
- (5) A person commits a separate offense of human trafficking or human smuggling for each person who is smuggled or trafficked under Section 76-5-308 or 76-5-310.