

HUMAN TRAFFICKING AMENDMENTS

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Julie Fisher

Senate Sponsor: J. Stuart Adams

LONG TITLE

General Description:

This bill modifies the Criminal Code regarding charging the offenses of human trafficking or human smuggling.

Highlighted Provisions:

This bill:

► provides that it is a separate offense regarding each person who is trafficked or smuggled in violation of current law.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-5-309, as enacted by Laws of Utah 2008, Chapter 343

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **76-5-309** is amended to read:

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 of one or more human beings for profit or for a commercial purpose is a third degree felony, except under Section 76-5-310.

30 (3) Human trafficking and human smuggling are each a separate offense from any other
31 crime committed in relationship to the commission of either of these offenses.

32 (4) A person who benefits financially or materially by receiving anything of value from
33 knowing participation in:

34 (a) human trafficking is guilty of a second degree felony; and

35 (b) human smuggling is guilty of a third degree felony.

36 (5) A person commits a separate offense of human trafficking or human smuggling for
37 each person who is smuggled or trafficked under Section 76-5-308 or 76-5-310.