

# National State Law Survey: Addressing Demand Under Sex Trafficking Laws

State <sup>1</sup>	Is there a buyer applicable trafficking law?	Applicable offense	Is proof of force, fraud, or coercion required?	Does the core sex trafficking offense expressly include the conduct of buyers?
Alabama	Yes	Ala. Code § 13A-6-152 (Human trafficking in the first degree)	Yes	No
Alaska	No	N/A	N/A	N/A
Arizona	Yes	Ariz. Rev. Stat. Ann. § 13-3212 (Child sex trafficking; classification; increased punishment; definition)	No	Yes
Arkansas	Yes	Ark. Code Ann. § 5-18-103 (Trafficking of persons)	No	Yes
California	No	N/A	N/A	N/A
Colorado	Yes	Colo. Rev. Stat. Ann. § 18-3-504 (Human trafficking of a minor for sexual servitude)	No	No
Connecticut	No	N/A	N/A	N/A
Delaware	Yes	Del. Code Ann. tit. 11, § 787 (Trafficking an individual; forced labor and sexual servitude)	No	Yes
DC	Yes	D.C. Code § 22-1834 (Sex trafficking of children)	No	No
Florida	Yes	Fla. Stat. Ann. § 787.06 (Human trafficking)	No	Yes
Georgia	Yes	Ga. Code Ann. § 16-5-46 (Trafficking of persons for labor or sexual servitude)	No	Yes

<sup>1</sup> Evaluations of state laws are based on legislation enacted as of August 1, 2017. For related policy goals, background information, and select statute highlights, please visit [http://sharedhope.org/wp-content/uploads/2015/11/Issue\\_Briefs/Issue\\_Briefs\\_2.1.pdf](http://sharedhope.org/wp-content/uploads/2015/11/Issue_Briefs/Issue_Briefs_2.1.pdf).

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<b>Hawaii</b>	No	N/A	N/A	N/A
<b>Idaho</b>	Yes	Idaho Code Ann. § 18-8602 (Human trafficking defined)	No	Yes
<b>Illinois</b>	Yes	720 Ill. Comp. Stat. Ann. 5/10-9 (Trafficking in persons, involuntary servitude, and related offenses)	No	No
<b>Indiana</b>	Yes	Ind. Code Ann. § 35-42-3.5-1 (Promotion of human trafficking; sexual trafficking of a minor; human trafficking)	Yes <sup>2</sup>	Yes
<b>Iowa</b>	Yes	Iowa Code § 710A.2 (Human trafficking)	No	Yes <sup>3</sup>
<b>Kansas</b>	Yes	Kan. Stat. Ann. § 21-5426 (Human trafficking; aggravated human trafficking)	No	Yes
<b>Kentucky</b>	Yes	Ky. Rev. Stat. Ann. § 529.100 (Human trafficking)	No	No
<b>Louisiana</b>	Yes	La. Rev. Stat. Ann. § 14:46.3 (Trafficking of children for sexual purposes)	No	Yes
<b>Maine</b>	No	N/A	N/A	N/A
<b>Maryland</b>	No	N/A	N/A	N/A
<b>Massachusetts</b>	Yes	Mass. Gen. Laws ch. 265, § 50 (Human trafficking—Sexual servitude)	No	No
<b>Michigan</b>	Yes	Mich. Comp. Laws Ann. § 750.462e	No	No

<sup>2</sup> Ind. Code Ann. § 35-42-3.5-1(d) (Promotion of human trafficking; sexual trafficking; human trafficking) requires that the buyer have knowledge that the victim was forced into prostitution when the victim is a minor.

<sup>3</sup> Iowa Code § 710A.2(4) (Human trafficking) applies to buyers but is limited to buyers who purchase sex acts with a minor victim who is under the control of a third party.

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		(Forced labor or services; prohibited conduct as relates to age of minor)		
<b>Minnesota</b>	No	N/A	N/A	N/A
<b>Mississippi</b>	Yes	Miss. Code Ann. § 97-3-54.1 (Human Trafficking Act; prohibited conduct; penalty)	No	No
<b>Missouri</b>	Yes	Mo. Rev. Stat. § 566.211 (Sexual trafficking of a child) <sup>4</sup>	No	No
<b>Montana</b>	Yes	Mont. Code Ann. § 45-5-702 (Trafficking of persons)	No	No
<b>Nebraska</b>	Yes	Neb. Rev. Stat. Ann. § 28-830 (Human trafficking; forced labor or services; terms, defined)	No	Yes
<b>Nevada</b>	Yes	Nev. Rev. Stat. Ann. § 201.300 (Pandering and sex trafficking: Definitions; penalties; exception)	No	No
<b>New Hampshire</b>	Yes	N.H. Rev. Stat. Ann. § 633:7 (Trafficking in persons)	No	Yes
<b>New Jersey</b>	Yes	N.J. Stat. Ann. § 2C:13-8 (Human trafficking)	No	No
<b>New Mexico</b>	Yes	N.M. Stat. Ann. § 30-52-1 (Human trafficking)	No	Yes
<b>New York</b>	No	N/A	N/A	N/A
<b>North Carolina</b>	Yes	N.C. Gen. Stat. § 14-43.13 (Sexual servitude); N.C. Gen.	No	No

<sup>4</sup> Mo. Rev. Stat. § 566.211 (Sexual trafficking of a child—penalty) applies to all minors, but Mo. Rev. Stat. § 566.210 (Sexual trafficking of a child under age twelve—affirmative defense not allowed, when—penalty) provides an enhanced penalty when the victim is under the age of 12.

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		Stat. § 14-43.11 (Human trafficking)		
<b>North Dakota</b>	Yes <sup>5</sup>	N.D. Cent. Code § 12.1-41-05 (Patronizing a victim of sexual servitude); N.D. Cent. Code § 12.1-41-06 (Patronizing a minor for commercial sexual activity)	No	No
<b>Ohio</b>	No	N/A	N/A	N/A
<b>Oklahoma</b>	Yes	Okla. Stat. Ann. tit. 21, § 748 (Human trafficking)	No	Yes
<b>Oregon</b>	Yes	Or. Rev. Stat. § 163.266 (Trafficking in persons)	Yes	No
<b>Pennsylvania</b>	Yes	18 Pa. Cons. Stat. § 3011 (Trafficking in individuals)	No	Yes
<b>Rhode Island</b>	Yes	R.I. Gen. Laws Ann. § 11-67.1-6 (Patronizing a victim of sexual servitude); R.I. Gen. Laws Ann. § 11-67.1-7 (Patronizing a minor for commercial sexual activity)	No	No
<b>South Carolina</b>	Yes	S.C. Code Ann. § 16-3-2020 (Trafficking in persons; penalties; defenses)	No	Yes <sup>6</sup>
<b>South Dakota</b>	Yes	S.D. Codified Laws § 22-49-1 (Human trafficking prohibited)	No	No
<b>Tennessee</b>	Yes	Tenn. Code Ann. § 39-13-309 (Trafficking for commercial sex acts)	No	Yes

<sup>5</sup> The core human trafficking law, N.D. Cent. Code § 12.1-41-02 (Trafficking an individual), and the sex trafficking law, N.D. Cent. Code § 12.1-41-04 (Sexual servitude), do not apply to buyers, but two offenses within the human trafficking chapter are applicable to buyers.

<sup>6</sup> S.C. Code Ann. § 16-3-2020 (Trafficking in persons; penalties; defenses) applies to buyers but is limited to buyers who purchase sex acts with a minor victim who is under the control of a third party.

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<b>Texas</b>	Yes	Tex. Penal Code Ann. § 20A.02 (Trafficking of persons)	No	Yes
<b>Utah</b>	Yes	Utah Code Ann. § 76-5-308.5 (Human trafficking of a child—Penalties)	No	Yes
<b>Vermont</b>	Yes	Vt. Stat. Ann. tit. 13, § 2652 (Human trafficking)	No	No
<b>Virginia</b>	No	N/A	N/A	N/A
<b>Washington</b>	Yes	Wash. Rev. Code Ann. § 9A.40.100 (Trafficking)	No	No
<b>West Virginia</b>	Yes	W. Va. Code Ann. § 61-14-6 (Patronizing a victim of sexual servitude; penalties)	No	No
<b>Wisconsin</b>	Yes	Wis. Stat. § 948.051 (Trafficking of a child)	No	Yes
<b>Wyoming</b>	Yes	Wyo. Stat. Ann. § 6-2-707 (Patronizing a victim of sexual servitude)	No	No
<b>Totals:</b>	<b>40 states &amp; DC</b> have a buyer-applicable trafficking law		<b>3</b> buyer-applicable trafficking laws require force, fraud or coercion	<b>20</b> core trafficking laws have language <b>expressly</b> applicable to buyers