

National State Law Survey: Buyer-Applicable Laws

State ¹	Trafficking law could be applied to buyers ²	CSEC could be applied to buyers	Applicable offense ³	Highest offense level and penalty (max. sentence and fine for first offense)	Applicable offense protects all minors under 18
Alabama	Yes**	No	Ala. Code § 13A-6-152 (Human trafficking in the first degree)	Class A felony (life or 10–99yrs, \$60k)	Yes
Alaska	No	Yes	Alaska Stat. § 11.66.100 (Prostitution)	Class C felony (max. 5yrs, \$50k)	Yes
Arizona	Yes*	Yes	Ariz. Rev. Stat. Ann. § 13-1307 (Sex trafficking)	Class 2 felony (13–27yrs, \$150k) ⁴	Yes
Arkansas	Yes*	Yes	Ark. Code Ann. § 5-18-103 (Trafficking of persons)	Class Y felony (10–40yrs or life)	Yes
California	No	Yes	Cal. Penal Code § 647 (Disorderly conduct; restrictions on probation)	Misdemeanor (2 days–1yr, \$10k)	Yes
Colorado	Yes*	Yes	Colo. Rev. Stat. Ann. § 18-3-504 (Human trafficking of a minor for sexual servitude)	Class 2 felony (8–24yrs, \$5k–\$1m)	Yes
Connecticut	No	Yes	Conn. Gen. Stat. § 53a-83 (Patronizing a prostitute)	Class C felony (1–10yrs, \$10k)	Yes
Delaware	Yes ⁵	No	Del. Code Ann. tit. 11, § 787 (Patronizing a victim of sexual servitude)	Class C felony (max. 15yrs)	Yes
DC	Yes*	Yes	D.C. Code § 22-1834 (Sex trafficking of children)	Max. 20yrs, \$50k	Yes
Florida	Yes	Yes	Fla. Stat. Ann. § 787.06	Life felony (max. life,	Yes

¹ Evaluations of state laws are based on legislation enacted as of August 1, 2016. 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 and http://sharedhope.org/wp-content/uploads/2012/10/Issue_Briefs_2.2.pdf.

² Responses with an asterisk (*) indicate that the human trafficking law applies to buyers based on federal precedent, and responses with a double asterisk (**) indicate that the human trafficking law is limited in application because proof of force, fraud, or coercion is required.

³ Reflects only the offenses that carry the highest maximum penalty and does not reflect all offenses with which buyers of sex with a minor could be charged. Where the state does not have a CSEC or trafficking offense applicable to buyers, the age-neutral prostitution law that would instead apply to buyers is listed.

⁴ While the law applies to offenses involving any minor victim, the term of imprisonment decreases to 3–12.5 years when the minor is between 15 and 17 years of age, unless the prosecution can prove that the buyer knew the minor's age.

⁵ The core human trafficking law, Del. Code Ann. tit. 11, § 787 (Trafficking an individual, forced labor and sexual servitude) is largely inapplicable to buyers, but Del. Code Ann. tit. 11, § 787 (Patronizing a victim of sexual servitude), an offense within the human trafficking chapter, is applicable to buyers.

National State Law Survey: Buyer-Applicable Laws

			(Human trafficking)	\$15k)	
Georgia	Yes*	Yes	Ga. Code Ann. § 16-5-46 (Trafficking of persons for labor or sexual servitude)	Felony (10–20yrs, \$100k)	Yes
Hawaii	No	Yes	Haw. Rev. Stat. Ann. § 712-1209.1 (Solicitation of a minor for prostitution)	Class C felony (max. 5yrs, \$5k–10k)	Yes
Idaho	Yes	Yes	Idaho Code Ann. § 18-5610 (Utilizing a person under eighteen years of age for prostitution-penalties)	Felony (2 yrs–life, \$50k)	Yes
Illinois	Yes	Yes	720 Ill. Comp. Stat. Ann. 5/10-9 (Trafficking in persons, involuntary servitude, and related offenses)	Class X felony (6–30yrs, \$25k) ⁶	Yes
Indiana	Yes	No	Ind. Code Ann. § 35-42-3.5-1 (Promotion of human trafficking; sexual trafficking of a minor; human trafficking)	Level 5 felony (2–8yrs, \$10k)	Yes
Iowa	Yes	Yes	Iowa Code § 710A.2 (Human trafficking)	Class C felony (max. 10yrs, \$1k–\$10k)	Yes
Kansas	Yes*	Yes	Kan. Stat. Ann. § 21-5426 (Human trafficking)	Off-grid person felony (25yrs–life, \$500k) ⁷	Yes
Kentucky	Yes	Yes	Ky. Rev. Stat. Ann. § 529.100 (Human trafficking)	Class B felony (10–20yrs, \$1k–\$10k)	Yes
Louisiana	Yes	Yes	La. Rev. Stat. Ann. § 14:46.3 (Trafficking of children for sexual purposes)	25–50yrs, \$75k ⁸	Yes

⁶ While the law applies to offenses involving any minor victim, the term of imprisonment decreases to 4–15 years for minors aged 17.

⁷ While the law applies to offenses involving any minor victim, buyers face a substantially lower penalty when the minor is between 15 and 17 years of age; the crime becomes a severity level 1, person felony punishable by 147–165 months imprisonment and a fine up to \$300,000.

⁸ While the law applies to offenses involving any minor victim, the penalty decreases to 15–50 years imprisonment and a \$50,000 fine when the minor is between 15 and 17 years of age.

National State Law Survey: Buyer-Applicable Laws

Maine	No	Yes	Me. Rev. Stat. Ann. tit. 17-A, § 855 (Patronizing prostitution of minor or person with mental disability)	Class D crime (max. 1 year, \$2k) ⁹	Yes
Maryland	No	Yes	Md. Code Ann., Crim. Law § 3-324 (Sexual Solicitation of minor)	Felony (max. 10yrs, \$25k)	Yes
Massachusetts	Yes	Yes	Mass. Gen. Laws ch. 265, § 50 (Human trafficking—Sexual servitude)	5yrs–life	Yes
Michigan	Yes*	Yes	Mich. Comp. Laws Ann. § 750.462e (Forced labor or services; prohibited conduct as relates to age of minor)	Felony (max. 20yrs, \$20k)	Yes
Minnesota	No	Yes	Minn. Stat. Ann. § 609.324 (Engaging in, hiring, or agreeing to hire minor to engage in prostitution; penalties)	Max. 20rs, \$40k ¹⁰	Yes
Mississippi	Yes	Yes	Miss. Code Ann. § 97-3-54.1 (Human Trafficking Act; prohibited conduct; penalty)	Felony (5–30yrs, \$50k–\$500k)	Yes
Missouri	Yes	Yes	Mo. Rev. Stat. § 566.211 (Sexual trafficking of a child)	Felony (10yrs–life, \$250k)	Yes
Montana	Yes*	Yes	Mont. Code Ann. § 45-5-702 (Trafficking of persons)	Felony (max. 50yrs, \$100k)	Yes
Nebraska	Yes	Yes	Neb. Rev. Stat. Ann. § 28-830 (Human trafficking; forced labor or	Class II felony (1–50yrs) ¹¹	Yes

⁹ If the buyer knew the victim was a minor, the penalty will be enhanced to a Class C crime punishable by up to 5 years imprisonment and a \$5,000 fine.

¹⁰ While the law applies to offenses involving any minor victim, penalties decrease depending upon the age of the victim. If the minor is between the ages of 13 and 15, the crime is punishable by up to 10 years imprisonment and a \$20,000 fine. If the victim is between the ages of 16 and 18, the crime is punishable by up to 5 years imprisonment and a \$10,000 fine.

¹¹ While the law applies to offenses involving any minor victim, penalties decrease depending upon the age of the victim and depending on whether force, fraud, or coercion is used. If the minor 16 years of age or older or means of force, fraud, or coercion were not used, the crime is a Class IIA felony punishable by up to 20 years imprisonment.

National State Law Survey: Buyer-Applicable Laws

			services; terms, defined)		
Nevada	Yes	Yes	Nev. Rev. Stat. Ann. § 201.300 (Pandering and sex trafficking: Definitions; penalties; exception)	Category A felony (max. life, \$20k) ¹²	Yes
New Hampshire	Yes	No	N.H. Rev. Stat. Ann. § 633:7 (Trafficking in persons)	Class B felony (max. 7yrs, \$4k)	Yes
New Jersey	Yes*	Yes	N.J. Stat. Ann-. § 2C:13-8 (Human trafficking)	First degree crime (20yrs–life, \$200k)	Yes
New Mexico	Yes	Yes	N.M. Stat. Ann. § 30-52-1 (Human trafficking)	First degree felony (max. 18yrs, \$15k) ¹³	Yes
New York	No	Yes	N.Y. Penal Law § 230.05 (Patronizing a person for prostitution in the second degree) if under 15; N.Y. Penal Law § 230.06 (Patronizing a prostitute in the first degree) if under 11	Class E felony if under 15 (max. 4yrs, \$5k); Class D felony if under 11 (max. 7yrs, \$5k)	No (under 15)
North Carolina	Yes*	Yes	N.C. Gen. Stat. § 14-43.13 (Sexual servitude); N.C. Gen. Stat. § 14-43.11 (Human trafficking)	Class C felony (58–73 months)	Yes
North Dakota	Yes ¹⁴	No	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)	Class A felony (max. 20yrs; \$20k)	Yes
Ohio	No	Yes	Ohio Rev. Code Ann. § 2907.21 (Compelling prostitution)	Third degree felony (9–36 months, \$10k)	Yes

¹² While the law applies to offenses involving any minor victim, the fine decreases to \$10,000 if the victim is 14–17 years of age.

¹³ While the law applies to offenses involving any minor victim, penalties decrease depending upon the age of the victim. If the minor is between the ages of 13 and 15, the crime is punishable by up to 9 years imprisonment and a \$10,000 fine. If the victim is 16 or 17 years of age, the crime is punishable by up to 3 years imprisonment and a \$5,000 fine.

¹⁴ 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.

National State Law Survey: Buyer-Applicable Laws

Oklahoma	Yes	Yes	Okla. Stat. Ann. tit. 21, § 748 (Human trafficking)	Felony (15yrs–life, \$250k)	Yes
Oregon	Yes** ¹⁵	Yes	Or. Rev. Stat. § 163.266 (Trafficking in persons)	Class A felony (max. 20yrs, \$375k)	Yes
Pennsylvania	Yes*	Yes	18 Pa. Cons. Stat. § 3011 (Trafficking in individuals)	First degree felony (max. 20yrs, \$25k)	Yes
Rhode Island	Yes	Yes	R.I. Gen. Laws Ann. § 11-67-6 (Sex trafficking of a minor)	Felony (max. 50yrs, \$40k)	Yes
South Carolina	Yes*	Yes	S.C. Code Ann. § 16-3-2020 (Trafficking in persons; penalties; defenses)	Felony (max. 15yrs)	Yes
South Dakota	Yes**	No	S.D. Codified Laws § 22-49-1 (Human trafficking prohibited); S.D. Codified Laws § 22-49-2 (First degree human trafficking)	Class 2 felony (max. 25yrs, \$50k)	Yes
Tennessee	Yes	Yes	Tenn. Code Ann. § 39-13-309 (Trafficking for commercial sex acts)	Class A felony (15–60yrs, \$50k) ¹⁶	Yes
Texas	Yes	Yes	Tex. Penal Code Ann. § 20A.02 (Trafficking of persons)	First degree felony (5yrs–life, \$10k)	Yes
Utah	Yes	Yes	Utah Code Ann. § 76-5-308.5 (Human trafficking of a child—Penalties)	First degree felony (5yrs–life, \$10k)	Yes
Vermont	Yes*	No	Vt. Stat. Ann. tit. 13, § 2652 (Human trafficking)	Felony (max. life, \$500k)	Yes
Virginia	No	Yes	Va. Code Ann. § 18.2-346 (Prostitution; commercial sexual conduct; commercial exploitation of a minor; penalties)	Class 5 felony (1–10yrs, \$2.5k) ¹⁷	Yes

¹⁵ Or. Rev. Stat. § 163.266 (Trafficking in persons) eliminates the requirement of force, fraud, or coercion if the defendant knows or recklessly disregards the fact that the minor is under 15 years of age.

¹⁶ While the law applies to offenses involving any minor victim, the penalty decreases to 8–30 years imprisonment and a fine up to \$25,000 if the victim is 15–17 years of age.

¹⁷ While the law applies to offenses involving any minor victim, the maximum term of imprisonment decreases to 5 years if the victim is 16–17 years of age.

National State Law Survey: Buyer-Applicable Laws

Washington	Yes	Yes	Wash. Rev. Code Ann. § 9A.40.100 (Trafficking)	Class A felony, seriousness level XIV (123–397 months, \$50k)	Yes
West Virginia	Yes*	Yes	W. Va. Code Ann. § 61-2-17 (Human trafficking; criminal penalties)	Felony (3–15yrs, \$200k)	Yes
Wisconsin	Yes	Yes	Wis. Stat. § 948.051 (Trafficking of a child)	Class C felony (max. 40yrs, \$100k)	Yes
Wyoming	Yes*	No	Wyo. Stat. Ann. § 6-2-702 (Human trafficking in the first degree; penalty)	Felony (25–50yrs, \$10k)	Yes
Totals:	40 states & DC have a buyer-applicable trafficking law.	42 states & DC have a buyer-applicable CSEC law.			Applicable offense in 49 states & DC includes all minors.