

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Judiciary Committee
2 Representative Toledo offered the following:

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Amendment (with title amendment)

Remove lines 102-138 and insert:

Section 2. Paragraphs (d) and (g) of subsection (2) and paragraphs (a), (c), (e), (f), and (g) of subsection (3) of section 787.06, Florida Statutes, are amended, and a new subsection (12) is added, to read:

787.06 Human trafficking.—

(2) As used in this section, the term:

(d) "Human trafficking" means transporting, soliciting, recruiting, harboring, providing, enticing, maintaining, purchasing, patronizing, procuring, or obtaining another person for the purpose of exploitation of that person.

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16 (g) "Obtain" means, in relation to labor, commercial
17 sexual activity, or services, to receive, take possession of, or
18 take custody of another person or secure performance thereof.

19 (3) Any person who knowingly, or in reckless disregard of
20 the facts, engages in human trafficking, or attempts to engage
21 in human trafficking, or benefits financially by receiving
22 anything of value from participation in a venture that has
23 subjected a person to human trafficking:

24 (a)1. For labor or services of any child younger than 18
25 years of ~~under the age~~ or an adult believed by the person to be
26 a child younger than ~~of~~ 18 years of age commits a felony of the
27 first degree, punishable as provided in s. 775.082, s. 775.083,
28 or s. 775.084.

29 2. Using coercion for labor or services of an adult
30 commits a felony of the first degree, punishable as provided in
31 s. 775.082, s. 775.083, or s. 775.084.

32 (c)1. For labor or services of any child younger than 18
33 years of ~~under the age~~ or an adult believed by the person to be
34 a child younger than ~~of~~ 18 years of age who is an unauthorized
35 alien commits a felony of the first degree, punishable as
36 provided in s. 775.082, s. 775.083, or s. 775.084.

37 2. Using coercion for labor or services of an adult who is
38 an unauthorized alien commits a felony of the first degree,
39 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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40 (e)1. For labor or services who does so by the transfer or
41 transport of any child younger than 18 years of ~~under the age or~~
42 an adult believed by the person to be a child younger than ~~of~~ 18
43 years of age from outside this state to within this ~~the~~ state
44 commits a felony of the first degree, punishable as provided in
45 s. 775.082, s. 775.083, or s. 775.084.

46 2. Using coercion for labor or services who does so by the
47 transfer or transport of an adult from outside this state to
48 within this ~~the~~ state commits a felony of the first degree,
49 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

50 (f)1. For commercial sexual activity who does so by the
51 transfer or transport of any child younger than 18 years of
52 ~~under the age or~~ an adult believed by the person to be a child
53 younger than ~~of~~ 18 years of age from outside this state to
54 within this ~~the~~ state commits a felony of the first degree,
55 punishable by imprisonment for a term of years not exceeding
56 life, or as provided in s. 775.082, s. 775.083, or s. 775.084.

57 2. Using coercion for commercial sexual activity who does
58 so by the transfer or transport of an adult from outside this
59 state to within this ~~the~~ state commits a felony of the first
60 degree, punishable as provided in s. 775.082, s. 775.083, or s.
61 775.084.

62 (g) For commercial sexual activity in which any child
63 younger than 18 years of ~~under the age or~~ an adult believed by
64 the person to be a child younger than ~~of~~ 18 years of age, or in

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65 | which any person who is mentally defective or mentally
66 | incapacitated as those terms are defined in s. 794.011(1), is
67 | involved commits a life felony, punishable as provided in s.
68 | 775.082(3)(a)6., s. 775.083, or s. 775.084.

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70 | For each instance of human trafficking of any individual under
71 | this subsection, a separate crime is committed and a separate
72 | punishment is authorized.

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75 | **T I T L E A M E N D M E N T**

76 | Remove lines 8-14 and insert:

77 | who may claim the privilege; amending s. 787.06, F.S.; revising
78 | the definitions of the terms "human trafficking" and "obtain";
79 | prohibiting a person from engaging in specified criminal acts
80 | relating to human trafficking with an adult believed to be a
81 | child younger than 18 years of age; providing criminal
82 | penalties; encouraging each