SENATE BILL 539:
Disclose Human Trafficking Conviction/Custody.

Committee:	Senate Judiciary. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	April 20, 2021
Introduced by:	Sen. Sanderson	**Prepared by:**	Jennifer H. Bedford
Analysis of:	PCS to First Edition S539-CSTT-9		Staff Attorney

OVERVIEW: Senate Bill 539 would:

- *Expand the disclosures required during a custody proceeding.*

- *Expand the conduct prohibited by the human trafficking law.*

CURRENT LAW AND BILL ANALYSIS:

<u>G.S. 50-13.1</u> requires that a person disclose any conviction for a sexually violent offense during custody proceedings.

Section 1 of Senate Bill 539 would require a person to also disclose the following during custody proceedings:

- Any convictions for human trafficking.

- Any convictions for sexual exploitation of a minor.

- Any prior custody proceedings.

- If anything of value has been given or promised, in exchange for a minor child.

<u>G.S. 14-43.11</u> prohibits human trafficking.
It is unlawful to recruit, entice, harbor, transport, provide, or obtain another person with the intent that the person be held in involuntary or sexual servitude.
If the victim is an adult, human trafficking is a Class C felony.
If the victim is a minor, human trafficking is a Class B2 felony.

Section 2 of Senate Bill 539 would expand the conduct prohibited by the human trafficking laws to include *knowingly patronizing another person held in involuntary servitude or sexual servitude.*

EFFECTIVE DATE: Section 2 of this act becomes effective December 1, 2021, and applies to offenses committed on or after that date. The remainder of this act becomes effective October 1, 2021, and applies to proceedings commenced on or after that date.

Jeffrey Hudson
Director

Legislative Analysis
Division
919-733-2578

S539-SMTT-25 CSTT-9 -V-1