AN ACT

ENTITLED, An Act to provide for the crime of human trafficking, to establish the elements and degrees of the crime, and to provide penalties for the violation thereof.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. No person may recruit, harbor, transport, provide, or obtain, by any means, another person knowing that force, fraud, or coercion will be used to cause the person to engage in prostitution, forced labor, or involuntary servitude. Nor may any person benefit financially or by receiving anything of value from participation in a venture that has engaged in acts set forth in this section. Any violation of this section constitutes the crime of human trafficking.

Section 2. If the acts or the venture set forth in section 1 of this Act:

(1) Involve committing or attempting to commit kidnaping;

(2) Involve a victim under the age of sixteen years;

(3) Involve prostitution or procurement for prostitution; or

(4) Result in the death of a victim;

any person guilty has committed human trafficking in the first degree, which is a Class 2 felony.

Section 3. A person is guilty of human trafficking in the second degree if that person:

(1) Recruits, harbors, transports, provides, or obtains, by any means, another person knowing that force, fraud, or coercion will be used to cause the person to engage in prostitution, forced labor, or involuntary servitude; or

(2) Benefits financially or by receiving anything of value from participation in a venture that has engaged in acts set forth in this section.

Human trafficking in the second degree is a Class 4 felony.

An Act to provide for the crime of human trafficking, to establish the elements and degrees of the crime, and to provide penalties for the violation thereof.

I certify that the attached Act originated in the

SENATE as Bill No. 176

_____
Secretary of the Senate

_____
President of the Senate

Attest:

_____
Secretary of the Senate

_____
Speaker of the House

Attest:

_____
Chief Clerk

Senate Bill No. 176
File No. ____
Chapter No. _____

Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

The attached Act is hereby approved this _____ day of _____ , A.D., 20___

_____
Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____ , 20___
at _____ o'clock __ M.

_____
Secretary of State

By _____
Asst. Secretary of State