

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 3051

By: Nations

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5  
6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending  
8 Section 1, Chapter 134, O.S.L. 2008 (21 O.S. Supp.  
9 2009, Section 748), which relates to human  
trafficking; modifying penalties; and providing an  
effective date.

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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY Section 1, Chapter 134, O.S.L.  
14 2008 (21 O.S. Supp. 2009, Section 748), is amended to read as  
15 follows:

16 Section 748. A. As used in this act:

17 1. "Human trafficking" refers to modern-day slavery that  
18 includes, but is not limited to, extreme exploitation and the denial  
19 of freedom or liberty of an individual;

20 2. "Human trafficking for forced labor" includes, but is not  
21 limited to, forced labor in households, agricultural fields,  
22 sweatshops, and any other workplace; and

23 3. "Human trafficking for forced sexual exploitation" includes,  
24 but is not limited to, all forms of forced commercial sexual

1 activity such as forced sexually explicit performances, forced  
2 prostitution, forced participation in the production of pornography,  
3 forced performance in strip clubs and forced exotic dancing or  
4 display.

5 B. A person commits the crime of human trafficking for forced  
6 labor or forced sexual exploitation if the person recruits, harbors,  
7 transports or obtains a person through the use of force, fraud or  
8 coercion by:

9 1. Threats of serious harm or physical restraint against that  
10 person or another person;

11 2. Destroying, concealing, removing, confiscating, or  
12 possessing any passport, immigration documents, or other government  
13 identification document;

14 3. Abuse or threatened abuse of the law or legal process; or

15 4. Means of any scheme, plan or pattern intended to cause the  
16 person to believe that the person or another person would suffer  
17 serious harm or physical restraint or if the person benefits,  
18 financially or by receiving anything of value, from participation in  
19 a venture that has engaged in an act of human trafficking.

20 C. Any person violating the provisions of this section shall,  
21 upon conviction, be guilty of a felony punishable by imprisonment in  
22 the custody of the Department of Corrections for not less than five  
23 (5) years nor more than twenty (20) years, or by a fine of not more  
24 than Ten Thousand Dollars (\$10,000.00), or by both such fine and

1 imprisonment. Any person violating the provisions of this section  
2 where the victim of the offense is under fourteen (14) years of age  
3 at the time of the offense shall, upon conviction, be guilty of a  
4 felony punishable by imprisonment in the custody of the Department  
5 of Corrections for not less than ten (10) years nor more than  
6 twenty-five (25) years, or by a fine of not more than Twenty  
7 Thousand Dollars (\$20,000.00), or by both such fine and  
8 imprisonment. The court shall also order the defendant to pay  
9 restitution to the victim as provided in Section 991f of Title 22 of  
10 the Oklahoma Statutes.

11 D. It is an affirmative defense to prosecution for a criminal  
12 offense that, during the time of the alleged commission of the  
13 offense, the defendant was a victim of human trafficking.

14 SECTION 2. This act shall become effective November 1, 2010.

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16 52-2-8712 GRS 01/10/10

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