

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1368 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Jim Grego _____

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 PROPOSED SUBCOMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1368

By: Grego

7
8 PROPOSED SUBCOMMITTEE SUBSTITUTE

9 An Act relating to human trafficking; amending 21
10 O.S. 2021, Section 748, as amended by Section 1,
11 Chapter 20, O.S.L. 2022 (21 O.S. Supp. 2024, Section
12 748), which relates to penalties for human
13 trafficking; creating a "No Trafficking" zone of
14 safety around public and private schools; making
15 certain acts unlawful; providing for a penalty
16 enhancement; directing private businesses and public
17 schools to post certain signage at specific
18 locations; directing the Oklahoma State Bureau of
19 Narcotics and Dangerous Drugs Control to promulgate
20 certain rules regarding signage; listing requirements
21 of signage; directing the Bureau to provide signage
22 without cost; requiring inclusion of human
23 trafficking information in driver education course
24 curriculum; requiring consultation with certain
agency when developing materials and training
guidelines for driver education instructors;
providing for codification; and providing an
effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2021, Section 748, as
amended by Section 1, Chapter 20, O.S.L. 2022 (21 O.S. Supp. 2024,
Section 748), is amended to read as follows:

1 Section 748. A. As used in Sections 748 and 748.2 of this
2 title:

3 1. "Coercion" means compelling, forcing or intimidating a
4 person to act by:

5 a. threats of harm or physical restraint against any
6 person,

7 b. any act, scheme, plan, or pattern intended to cause a
8 person to believe that performing, or failing to
9 perform, an act would result in serious physical,
10 financial, or emotional harm or distress to or
11 physical restraint against any person,

12 c. the abuse or threatened abuse of the law or legal
13 process,

14 d. knowingly destroying, concealing, removing,
15 confiscating or possessing any actual or purported
16 passport, labor or immigration document, or other
17 government identification document, including but not
18 limited to a driver license or birth certificate, of
19 another person,

20 e. facilitating or controlling a person's access to any
21 addictive or controlled substance other than for legal
22 medical purposes,

23 f. blackmail,
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- 1 g. demanding or claiming money, goods, or any other thing
2 of value from or on behalf of a prostituted person
3 where such demand or claim arises from or is directly
4 related to the act of prostitution,
- 5 h. determining, dictating or setting the times at which
6 another person will be available to engage in an act
7 of prostitution with a third party,
- 8 i. determining, dictating or setting the places at which
9 another person will be available for solicitation of,
10 or to engage in, an act of prostitution with a third
11 party, or
- 12 j. determining, dictating or setting the places at which
13 another person will reside for purposes of making such
14 person available to engage in an act of prostitution
15 with a third party;

16 2. "Commercial sex" means any form of commercial sexual
17 activity such as sexually explicit performances, prostitution,
18 participation in the production of pornography, performance in a
19 strip club, or exotic dancing or display;

20 3. "Debt bondage" means the status or condition of a debtor
21 arising from a pledge by the debtor of his or her personal services
22 or of those of a person under his or her control as a security for
23 debt if the value of those services as reasonably assessed is not
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1 applied toward the liquidation of the debt or the length and nature
2 of those services are not respectively limited and defined;

3 4. "Human trafficking" means modern-day slavery that includes,
4 but is not limited to, extreme exploitation and the denial of
5 freedom or liberty of an individual for purposes of deriving benefit
6 from that individual's commercial sex act or labor;

7 5. "Human trafficking for labor" means:

8 a. recruiting, enticing, harboring, maintaining,
9 transporting, providing or obtaining, by any means,
10 another person through deception, force, fraud, threat
11 or coercion or for purposes of engaging the person in
12 labor, or

13 b. benefiting, financially or by receiving anything of
14 value, from participation in a venture that has
15 engaged in an act of trafficking for labor;

16 6. "Human trafficking for commercial sex" means:

17 a. recruiting, enticing, harboring, maintaining,
18 transporting, providing or obtaining, by any means,
19 another person through deception, force, fraud, threat
20 or coercion for purposes of engaging the person in a
21 commercial sex act,

22 b. recruiting, enticing, harboring, maintaining,
23 transporting, providing, purchasing or obtaining, by
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1 any means, a minor for purposes of engaging the minor
2 in a commercial sex act, or

3 c. benefiting, financially or by receiving anything of
4 value, from participating in a venture that has
5 engaged in an act of trafficking for commercial sex;

6 7. "Legal process" means the criminal law, the civil law, or
7 the regulatory system of the federal government, any state,
8 territory, district, commonwealth, or trust territory therein, and
9 any foreign government or subdivision thereof and includes legal
10 civil actions, criminal actions, and regulatory petitions or
11 applications;

12 8. "Minor" means an individual under eighteen (18) years of
13 age; and

14 9. "Victim" means a person against whom a violation of any
15 provision of this section has been committed.

16 B. It shall be unlawful to knowingly engage in human
17 trafficking.

18 C. Any person violating the provisions of this section shall,
19 upon conviction, be guilty of a felony punishable by imprisonment in
20 the custody of the Department of Corrections for a term of not less
21 than five (5) years or for life, or by a fine of not more than One
22 Hundred Thousand Dollars (\$100,000.00), or by both such fine and
23 imprisonment. Any person violating the provisions of this section
24 where the victim of the offense is under eighteen (18) years of age

1 at the time of the offense shall, upon conviction, be guilty of a
2 felony punishable by imprisonment in the custody of the Department
3 of Corrections for a term of not less than fifteen (15) years or for
4 life, or by a fine of not more than Two Hundred Fifty Thousand
5 Dollars (\$250,000.00), or by both such fine and imprisonment. The
6 court shall also order the defendant to pay restitution to the
7 victim as provided in Section 991f of Title 22 of the Oklahoma
8 Statutes. If the person is convicted of human trafficking, the
9 person shall serve eighty-five percent (85%) of the sentence before
10 being eligible for parole consideration or any earned credits. The
11 terms of imprisonment specified in this subsection shall not be
12 subject to statutory provisions for suspension, deferral or
13 probation, or state correctional institution earned credits accruing
14 from and after November 1, 1989, except for the achievement earned
15 credits authorized by subsection H of Section 138 of Title 57 of the
16 Oklahoma Statutes. To qualify for such achievement earned credits,
17 such inmates must also be in compliance with the standards for Class
18 level 2 behavior, as defined in subsection D of Section 138 of Title
19 57 of the Oklahoma Statutes.

20 D. 1. A "No Trafficking" zone of safety is hereby created
21 around public or private elementary, secondary, or post-secondary
22 schools. A person is prohibited from conducting any human
23 trafficking-related activities within one thousand (1,000) feet of
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1 any public or private elementary, secondary, or post-secondary
2 school.

3 2. Any person convicted of human trafficking within a "No
4 Trafficking" zone of safety, as provided in paragraph 1 of this
5 subsection, shall receive a ten-year penalty enhancement as an
6 addition to the sentence provided for in subsection C of this
7 section.

8 E. It is an affirmative defense to prosecution for a criminal,
9 youthful offender, or delinquent offense that, during the time of
10 the alleged commission of the offense, the defendant or alleged
11 youthful offender or delinquent was a victim of human trafficking.

12 ~~E.~~ F. The consent of a victim to the activity prohibited by
13 this section shall not constitute a defense.

14 ~~F.~~ G. Lack of knowledge of the age of the victim shall not
15 constitute a defense to the activity prohibited by this section with
16 respect to human trafficking of a minor.

17 SECTION 2. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 748.1 of Title 21, unless there
19 is created a duplication in numbering, reads as follows:

20 Beginning November 1, 2025, warning signs of the penalties for
21 the trafficking of persons under Section 748 of Title 21 of the
22 Oklahoma Statutes shall be posted at the following businesses:

23 1. Cosmetology establishments, as defined in Section 199.1 of
24 Title 59 of the Oklahoma Statutes;

1 2. Establishments or schools that provide massage therapy or
2 instruction in massage therapy, as defined in Section 4200.2 of
3 Title 59 of the Oklahoma Statutes;

4 3. Establishments that provide body piercing or tattooing
5 services, as defined in Section 842.1 of Title 21 of the Oklahoma
6 Statutes; and

7 4. Hospitals, as defined in Section 1-701 of Title 63 of the
8 Oklahoma Statutes.

9 The signage shall be posted in a conspicuous place that is
10 either near the public entrance of the business establishment or
11 near the location where similar notices are customarily posted at
12 the business establishment.

13 B. The Oklahoma State Bureau of Narcotics and Dangerous Drugs
14 Control shall adopt rules regarding the placement, installation,
15 design, size, wording, and maintenance procedures for the warning
16 signs required under this section. The rules shall require that
17 each warning sign:

18 1. Include a description of the provisions of Section 748 of
19 Title 21 of the Oklahoma Statutes including the criminal penalties
20 for violating the statute;

21 2. Be written in English and Spanish; and

22 3. Be at least eight and one-half inches by eleven inches (8
23 1/2 x 11) in size.

24

1 C. The Bureau shall provide a warning sign without charge to
2 each business establishment listed in subsection A of this section.

3 SECTION 3. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 24-100.11 of Title 70, unless
5 there is created a duplication in numbering, reads as follows:

6 Beginning November 1, 2025, public schools of this state shall
7 post warning signs of the penalties for the trafficking of persons
8 under Section 748 of Title 21 of the Oklahoma Statutes at the
9 following locations:

10 1. Parallel to and along the exterior boundaries of the
11 premises of the school;

12 2. At each roadway or other way of access to the premises of
13 the school;

14 3. For premises not fenced, at least every five hundred (500)
15 feet along the exterior boundaries of the premises of the school;

16 4. At each entrance to the premises of the school; and

17 5. At conspicuous places reasonably likely to be viewed by all
18 persons entering the premises of the school.

19 B. The Oklahoma State Bureau of Narcotics and Dangerous Drugs
20 Control shall adopt rules regarding the placement, installation,
21 design, size, wording, and maintenance procedures for the warning
22 signs required under this section. The rules shall require that
23 each warning sign:

24

1 1. Include a description of the provisions of Section 748 of
2 Title 21 of the Oklahoma Statutes including the criminal penalties
3 for violating the statute;

4 2. Be written in English and Spanish; and

5 3. Be at least eight and one-half inches by eleven inches (8
6 1/2 x 11) in size.

7 C. The Bureau shall provide each school without charge the
8 number of warning signs required to comply with the provisions of
9 this section.

10 SECTION 4. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 19-115.1 of Title 70, unless
12 there is created a duplication in numbering, reads as follows:

13 A. Service Oklahoma in collaboration with the State Department
14 of Education shall require that information relating to human
15 trafficking prevention be included in the curriculum of any driver
16 education course.

17 B. Service Oklahoma and the State Department of Education shall
18 consult with the Oklahoma State Bureau of Narcotics and Dangerous
19 Drugs Control when developing materials and training guidelines for
20 driver education instructors.

21 SECTION 5. This act shall become effective November 1, 2025.

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