

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1215

By: West (Kevin) of the House

and

Weaver of the Senate

8
9 COMMITTEE SUBSTITUTE

10 An Act relating to human trafficking; creating the
11 Oklahoma Human Trafficking Law; amending 21 O.S.
12 2021, Section 748, as amended by Section 1, Chapter
13 20, O.S.L. 2022 (21 O.S. Supp. 2024, Section 748),
14 which relates to penalties for human trafficking;
15 updating statutory citation; modifying scope of
16 certain defined terms; adding definition; modifying
17 penalties; requiring registration with the Sex
18 Offenders Registration Act; directing the Department
19 of Corrections to submit information to the Federal
20 Bureau of Investigation; providing for
21 noncodification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law not to be
codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "Oklahoma Human
Trafficking Law".

SECTION 2. 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, or acts of
6 violence committed against any person,

7 b. any act, threat, scheme, plan, or pattern intended to
8 cause a person to believe that performing, or failing
9 to 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, or
- 16 k. extortion, obtaining property or money from another
17 with consent, induced by a wrongful use of force or
18 fear;

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

23 3. "Debt bondage" means the status or condition of a debtor
24 arising from a pledge by the debtor of his or her personal services

1 or of those of a person under his or her control as a security for
2 debt if the value of those services as reasonably assessed is not
3 applied toward the liquidation of the debt or the length and nature
4 of those services are not respectively limited and defined;

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

9 5. "Human trafficking for labor" means:

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

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

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

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

24

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

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

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

14 8. "Minor" means an individual under eighteen (18) years of
15 age; ~~and~~

16 9. "Pimping" means a person who procures a prostitute for a
17 customer and receives the earnings from the services provided by the
18 prostitute; and

19 10. "Victim" means a person against whom a violation of any
20 provision of this section has been committed.

21 B. It shall be unlawful to knowingly engage in human
22 trafficking.

23 C. Any person violating the provisions of this section shall,
24 upon conviction, be guilty of a felony punishable by imprisonment in

1 the custody of the Department of Corrections for a term of not less
2 than five (5) years ~~or for life~~ and not exceeding twenty (20) years,
3 or by a fine of not more than One Hundred Thousand Dollars
4 (\$100,000.00), or by both such fine and imprisonment. Any person
5 violating the provisions of this section where the victim of the
6 offense is under eighteen (18) years of age at the time of the
7 offense shall, upon conviction, be guilty of a felony punishable by
8 imprisonment in the custody of the Department of Corrections for a
9 term of not less than fifteen (15) years ~~or for life~~ and not
10 exceeding ninety-nine (99) years, or by a fine of not more than Two
11 Hundred Fifty Thousand Dollars (\$250,000.00), or by both such fine
12 and imprisonment. The court shall also order the defendant to pay
13 restitution to the victim as provided in Section 991f of Title 22 of
14 the Oklahoma Statutes. If the person is convicted of human
15 trafficking, the person shall serve eighty-five percent (85%) of the
16 sentence before being eligible for parole consideration or any
17 earned credits. The terms of imprisonment specified in this
18 subsection shall not be subject to statutory provisions for
19 suspension, deferral or probation, or state correctional institution
20 earned credits accruing from and after November 1, 1989, except for
21 the achievement earned credits authorized by subsection H of Section
22 138 of Title 57 of the Oklahoma Statutes. To qualify for such
23 achievement earned credits, such inmates must also be in compliance
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1 with the standards for Class level 2 behavior, as defined in
2 subsection D of Section 138 of Title 57 of the Oklahoma Statutes.

3 D. 1. Any person convicted of human trafficking for commercial
4 sex shall be required to register as a sex offender pursuant to the
5 provisions of the Sex Offenders Registration Act.

6 2. The Department of Corrections shall forward the name and
7 conviction information of any person convicted of human trafficking
8 to the Human Trafficking-Uniform Crime Reporting Program of the
9 Federal Bureau of Investigation.

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

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

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

19 SECTION 3. This act shall become effective November 1, 2025.
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21 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY
22 OVERSIGHT, dated 03/03/2025 - DO PASS, As Amended.
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