

FIRST REGULAR SESSION

HOUSE BILL NO. 1142

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES FLOOK (Sponsor), WILDBERGER, NOLTE, SCHOEMEHL, CHAPPELLE-NADAL, DARROUGH, ERVIN, RICHARD, STEVENSON, NIEVES, BIVINS, PARSON, NANCE, McGHEE, AVERY, KELLY, FISHER, RUESTMAN, DAUS, EMERY, ZIMMERMAN, SCHAD, MAY, DUSENBERG, MEINERS, LEMBKE, BAKER (123), ONDER AND WALTON (Co-sponsors).

Read 1st time March 15, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

1750L.02I

AN ACT

To repeal sections 566.200 and 566.206, RSMo, and to enact in lieu thereof two new sections relating to human trafficking, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 566.200 and 566.206, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 566.200 and 566.206, to read as follows:

566.200. As used in sections 566.200 to 566.221, the following terms shall mean:

2 (1) "Basic rights information", information applicable to a noncitizen, including but not
3 limited to information about human rights, immigration, emergency assistance and resources,
4 and the legal rights and resources for victims of domestic violence;

5 (2) "Client", a person who is a resident of the United States and the state of Missouri and
6 who contracts with an international marriage broker to meet recruits;

7 (3) "Commercial sex act", any sex act on account of which anything of value is given
8 to or received by any person;

9 (4) "Criminal history record information", criminal history record information, including
10 information provided in a criminal background check, obtained from the Missouri state highway
11 patrol and the Federal Bureau of Investigation;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

12 (5) **"Illegal immigrant", a person who is not a United States citizen and who is not**
13 **lawfully present in the United States in accordance with 8 U.S.C. Section 1101, et seq., or**
14 **its successor;**

15 (6) **"International marriage broker":**

16 (a) A corporation, partnership, business, individual, or other legal entity, whether or not
17 organized under any law of the United States or any other state, that charges fees to residents of
18 Missouri for providing dating, matrimonial, or social referrals or matching services between
19 United States citizens or residents and nonresident aliens by providing information or a forum
20 that would permit individuals to contact each other. Such contact shall include, but is not limited
21 to:

22 a. Providing the name, telephone number, postal address, electronic mail address, or
23 voice message mailbox of an individual, or otherwise facilitating communication between
24 individuals; or

25 b. Providing an opportunity for an in-person meeting;

26 (b) Such term shall not include:

27 a. A traditional matchmaking organization of a religious nature that operates on a
28 nonprofit basis and otherwise operates in compliance with the laws of the countries in which it
29 operates, including the laws of the United States;

30 b. An entity that provides dating services between United States citizens or residents and
31 other individuals who may be aliens, but does not do so as its principal business, and charges
32 comparable rates to all individuals it serves regardless of the gender or country of citizenship or
33 residence of the individual; or

34 c. An organization that does not charge a fee to any party for the services provided;

35 [(6)] (7) **"Involuntary servitude or forced labor", a condition of servitude induced by**
36 **means of:**

37 (a) Any scheme, plan, or pattern of behavior intended to cause a person to believe that,
38 if the person does not enter into or continue the servitude, such person or another person will
39 suffer substantial bodily harm or physical restraint; or

40 (b) The abuse or threatened abuse of the legal process;

41 [(7)] (8) **"Marital history information", a declaration of the person's current marital**
42 **status, the number of times the person has previously been married, and whether any previous**
43 **marriages occurred as a result of service from an international marriage broker;**

44 [(8)] (9) **"Peonage", illegal and involuntary servitude in satisfaction of debt;**

45 [(9)] (10) **"Recruit", a noncitizen, nonresident, recruited by an international marriage**
46 **broker for the purpose of providing dating, matrimonial, or social referral services.**

566.206. 1. A person commits the crime of trafficking for the purposes of slavery, 2 involuntary servitude, peonage, or forced labor if a person knowingly recruits, harbors, 3 transports, provides, or obtains by any means another person for labor or services, for the 4 purposes of slavery, involuntary servitude, peonage, or forced labor.

5 2. **A person commits the crime of trafficking for the purposes of illegal immigration** 6 **if, in exchange for anything of value, such person knowingly transports, or assists in the** 7 **transport of an illegal immigrant within this state with the intent to violate federal** 8 **immigration law under Title 8 of the United States Code, or its successor.**

9 3. A person who pleads guilty to or is found guilty of the crime of trafficking for the 10 purposes of slavery, involuntary servitude, peonage, or forced labor shall not be required to 11 register as a sexual offender pursuant to the provisions of section 589.400, RSMo, unless such 12 person is otherwise required to register pursuant to the provisions of such section.

13 [3.] 4. The crime of trafficking for the purposes of slavery, involuntary servitude, 14 peonage, or forced labor is a class B felony.

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