

HB 397 -- PROTECTION OF CHILDREN FROM SEX TRAFFICKING

SPONSOR: Coleman (97)

Currently, it is an affirmative defense to prosecution of the offense of prostitution that the defendant was under the age of 18 and was acting under the coercion of an agent at the time of the offense charged. This legislation changes the affirmative defense to that the defendant was under the age of 18.

The bill also adds certain offenses related to children to the definition of "pattern of criminal street gang activity."

Finally, a person who was convicted of the offense of prostitution and who was under 18 at the time of the offense may apply to the court in which he or she pled guilty or was sentenced to expunge all official records relating to the offense. If the court determines that the person was under 18 when committing the offense, the court shall enter an order of expungement.