

HB42 ENGROSSED



1 HB42
2 7PP92E2-2
3 By Representative Givens
4 RFD: Judiciary
5 First Read: 06-Feb-24
6 PFD: 12-Jan-24



HB42 Engrossed

A BILL
TO BE ENTITLED
AN ACT

Relating to crimes and offenses; to amend Section 13A-6-152, Code of Alabama 1975, to further provide for the punishment of certain human trafficking offenses under certain conditions; and in connection therewith would have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Section 111.05 of the Constitution of Alabama of 2022.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known and may be cited as the Sound of Freedom Act.

Section 2. Section 13A-6-152, Code of Alabama 1975, is amended to read as follows:

"§13A-6-152

(a) A person commits the crime of human trafficking in the first degree if:

(1) He or she knowingly subjects another person to labor servitude or sexual servitude.

(2) He or she knowingly obtains, recruits, entices, solicits, induces, threatens, isolates, harbors, holds,



HB42 Engrossed

restrains, transports, provides, or maintains any minor for the purpose of causing a minor to engage in sexual servitude.

(3) He or she knowingly gives, or attempts to give, monetary consideration or any other thing of value to engage in any sexual conduct with a minor or an individual he or she believes to be a minor.

(b) For purposes of this section, it is not required that the defendant have knowledge of a minor victim's age, nor is reasonable mistake of age a defense to liability under this section.

(c) A corporation, or any other legal entity other than an individual, may be prosecuted for human trafficking in the first degree for an act or omission only if an agent of the corporation or entity performs the conduct which is an element of the crime while acting within the scope of his or her office or employment and on behalf of the corporation or entity, and the commission of the crime was either authorized, requested, commanded, performed, or within the scope of the person's employment on behalf of the corporation or entity or constituted a pattern of conduct that an agent of the corporation or entity knew or should have known was occurring.

(d) Any person who obstructs, or attempts to obstruct, or in any way interferes with or prevents the enforcement of this section shall be guilty of a Class A felony.

(e) Human trafficking in the first degree is a Class A felony. In any prosecution under this section where there is a minor trafficking victim, the court shall sentence the defendant to a minimum of life imprisonment. However, if the



HB42 Engrossed

defendant is 18 years of age or younger, the court shall
sentence the defendant as a Class A felon."

Section 3. Although this bill would have as its purpose or effect the requirement of a new or increased expenditure of local funds, the bill is excluded from further requirements and application under Section 111.05 of the Constitution of Alabama of 2022, because the bill defines a new crime or amends the definition of an existing crime.

Section 4. This act shall become effective October 1, 2024.



HB42 Engrossed

67
68
69

House of Representatives

70 Read for the first time and referred06-Jan-24
71 to the House of Representatives
72 committee on Judiciary
73
74 Read for the second time and placed14-Feb-24
75 on the calendar:
76 2 amendments
77
78 Read for the third time and passed20-Feb-24
79 as amended
80 Yeas 102
81 Nays 0
82 Abstains 0
83
84

85 John Treadwell
86 Clerk
87