

HOUSE BILL 542

E1

9lr0537

By: **Delegates Simmons and Waldstreicher**
Introduced and read first time: February 5, 2009
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law - Human Trafficking - Inducing or Enticing**

3 FOR the purpose of altering a provision of law prohibiting a person from knowingly
4 persuading or encouraging another by threat or promise to be taken to or placed
5 in any place for prostitution to prohibit a person from knowingly persuading,
6 inducing, enticing, or encouraging another to be taken to or placed in any place
7 for prostitution; applying certain penalties; and generally relating to human
8 trafficking.

9 BY repealing and reenacting, with amendments,
10 Article - Criminal Law
11 Section 11-303
12 Annotated Code of Maryland
13 (2002 Volume and 2008 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - Criminal Law**

17 11-303.

18 (a) (1) A person may not knowingly:

19 (i) take or cause another to be taken to any place for
20 prostitution;

21 (ii) place, cause to be placed, or harbor another in any place for
22 prostitution;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (iii) [persuade] **PERSUADE, INDUCE, ENTICE**, or encourage [by
2 threat or promise] another to be taken to or placed in any place for prostitution;

3 (iv) unlawfully take or detain another with the intent to use
4 force, threat, or persuasion to compel the other to marry the person or a third person
5 or perform a sexual act, sexual contact, or vaginal intercourse; or

6 (v) receive consideration to procure for or place in a house of
7 prostitution or elsewhere another with the intent of causing the other to engage in
8 prostitution or assignation.

9 (2) A parent, guardian, or person who has permanent or temporary
10 care or custody or responsibility for supervision of another may not consent to the
11 taking or detention of the other for prostitution.

12 (b) A person may not violate subsection (a) of this section involving a victim
13 who is a minor.

14 (c) (1) (i) Except as provided in paragraph (2) of this subsection, a
15 person who violates subsection (a) of this section is guilty of the misdemeanor of
16 human trafficking and on conviction is subject to imprisonment not exceeding 10 years
17 or a fine not exceeding \$5,000 or both.

18 (ii) A person who violates subsection (a) of this section is subject
19 to § 5–106(b) of the Courts Article.

20 (2) A person who violates subsection (b) of this section is guilty of the
21 felony of human trafficking and on conviction is subject to imprisonment not exceeding
22 25 years or a fine not exceeding \$15,000 or both.

23 (d) A person who violates this section may be charged, tried, and sentenced
24 in any county in or through which the person transported or attempted to transport
25 the other.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2009.