

CHAPTER 143

(House Bill 542)

AN ACT concerning

Criminal Law – Human Trafficking – Inducing or Enticing

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

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 11–303
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

Article – Criminal Law

11–303.

- (a) (1) A person may not knowingly:
- (i) take or cause another to be taken to any place for prostitution;
 - (ii) place, cause to be placed, or harbor another in any place for prostitution;
 - (iii) [persuade] **PERSUADE, INDUCE, ENTICE**, or encourage [by threat or promise] another to be taken to or placed in any place for prostitution;
 - (iv) unlawfully take or detain another with the intent to use force, threat, or persuasion to compel the other to marry the person or a third person or perform a sexual act, sexual contact, or vaginal intercourse; or

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

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

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

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

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

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

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

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

Approved by the Governor, April 14, 2009.