



Tennessee Anti-Trafficking Law Information Sheet

Felony Classes:

- Class A: 15-60 years in prison, up to \$50,000 in fines
- Class B: 8-30 years in prison, up to \$25,000 in fines
- Class C: 3-15 years in prison, up to \$10,000 in fines
- Class D: 2-12 years in prison, up to \$5,000 in fines
- Class E: 1-6 years in prison, up to \$3,000 in fines

Sex Trafficking Law: A person who breaks this law has knowingly subjected another person to sexual servitude or has coerced, transported, harbored, provided or obtained a person for the purpose of sexual servitude.

- Class A felony if the victim is under 15 years old or if the offense occurs within 1,000 feet of a school, preschool, child care, library, recreational center, or a public park.
- Class C felony if a trafficker advertises a minor for commercial sexual abuse. Minimum \$10,000 fine.
- While a sex-trafficker could be included in the sex-offender registry before, an explicit provision has been added to the Trafficking for Commercial Sex Acts statute and amended properly into the sex-offender registry.

Labor Trafficking Law: A person who breaks this law has knowingly subjected or has attempted to subject a person to forced labor servitude by threatening physical harm, financial ruin, or legal consequences. This is a Class C felony, or a Class B felony if it ends in death, bodily harm, occurs over a year's time, exceeds 10 victims, or if the victim is under 15 years old.

Asset Seizure Law: This law requires law enforcement to forfeit any property acquired through illegal trafficking. The profit or property is divided by the law enforcement agency and the remaining amount is given to NGO anti-trafficking efforts. (SB0604 by Marrero)

Hotline Act: A hotline will be maintained that will be available to victims of trafficking or those who suspect human sex trafficking. Communities and businesses are strongly encouraged to post this hotline phone number on flyers throughout the state.

Decriminalization of Minors: Persons under the age of 18 are immune from prosecution for prostitution and will be given the Hotline phone number. This law also states those who patronize persons under the age of 18 for prostitution will be prosecuted for a Class E felony.

Vacating Convictions: Convictions for prostitution removed or vacated from their criminal record, if the convictions occurred while the person was a victim of sex trafficking.

Victim Assistance Law: Requires the Department of Human Services to work out a plan to identify victims, identify resources for them, assist victims with benefits, coordinate delivery of services to them, and prepare educational materials to increase awareness for victims. (SB2370 by Marrero)

Civil Remedies Law: Allows victims to sue their traffickers for compensatory damages, punitive damages, actual damages, or injunctive relief. (SB2369 by Marrero)

Criminal Offenses: Grants immunity from prosecution of prostitution where a person is a victim of involuntary labor servitude, sexual servitude, or where the person is a victim as defined under the federal Trafficking Victims Protection Act. (SB2590 by Marrero)

HB128/SB1035: Requires that restitution to the victim be paid by the defendant for the offenses of patronizing prostitution, trafficking for commercial sex acts, solicitation of a minor for sexual purposes, and enlisting or paying a minor to engage in child pornography.

HB129/SB0466: Expands the offense of solicitation of a minor to include solicitations by adults that if completed, would constitute trafficking for commercial sex acts, patronizing prostitution, promoting prostitution, or aggravated sexual exploitation of a minor.

HB130/SB1033: Makes it a Class D felony offense for any person to promote travel for prostitution by selling or offering to sell travel services known to include travel for the purpose of engaging in what would be prostitution if occurring in the state and adds the purchase of another person for the purpose of providing a commercial sex act to the types of conduct that constitute the criminal offense of trafficking a person for commercial sex.

HB358/SB1038: Adds various sexual offenses to the organized crime definitions so that criminal offenses involving racketeering and unlawful debts can be applied to certain offenders.

HB416/SB1029: Adds to the definition of criminal gang offenses trafficking for commercial sex acts and receipt, or intended receipt, of income, benefit, property, money or anything of value from the commission of trafficking for commercial sex acts.

HB520/ SB1032: Raises the classification of the offense of promoting prostitution of a minor from a Class E felony to a Class A or B felony.

HB521/SB 1030: Disallows as a defense to offenses of soliciting sexual exploitation of a minor, aggravated sexual exploitation of a minor and especially aggravated sexual exploitation of a minor that the minor consented to the conduct constituting the offense.

HB709/SB 1028: Disallows as a defense to offenses of soliciting sexual exploitation of a minor, aggravated sexual exploitation of a minor and especially aggravated sexual exploitation of a minor that the minor consented to the conduct constituting the offense.

HB710/SB 1034: Provides that it is grounds for the termination of a person's parental rights that the parent is convicted of trafficking for commercial sex acts and the parent's child is one of the victims of the offense.

HB742/SB 1027: Provides that victims 13 and under of trafficking for commercial sex acts and patronizing prostitution may, under certain circumstances, testify outside the courtroom by closed circuit television.

HB919/SB1027: Establishes a human trafficking task force.

HB920/ SB 1031: Removes as a defense ignorance or mistake of fact concerning the age of a minor to the offenses of patronizing prostitution and soliciting sexual exploitation of a minor.

HB1050/SB 1390: Adds a person who physically possesses or controls a child to those from whose custody a child can be removed if the child is subject to an immediate threat to the child's health or safety and there is no less drastic alternative to removal.