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H.569

Introduced by Representatives Colburn of Burlington, Gonzalez of Winooski,
Grad of Moretown, and Kornheiser of Brattleboro

Referred to Committee on

Date:

Subject: Crimes; prostitution

Statement of purpose of bill as introduced: This bill proposes to repeal the
prostitution laws while retaining felony human trafficking laws that prohibit
recruiting, enticing, harboring, transporting, providing, or obtaining a minor
for the purpose of commercial sex; patronizing a minor for commercial sex;
recruiting, enticing, harboring, transporting, providing, or obtaining any person
through force, fraud, or coercion for the purpose of having the person engage
in commercial sex; compelling any person through force, fraud, or coercion to
engage in commercial sex; and patronizing any person for a commercial sex
act who is being compelled through force, fraud, or coercion to engage in a
commercial sex.

An act relating to prostitution

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 Sec. 1. LEGISLATIVE INTENT

3 (a) It is the intent of the General Assembly to repeal the laws pertaining to
4 prostitution between consenting adults, while retaining strict prohibitions and
5 criminal penalties for human trafficking.

6 (b)(1) Pursuant to 13 V.S.A. chapter 60, it is illegal to:

7 (A) recruit, entice, harbor, transport, provide, or obtain by any means
8 a person under the age of 18 for the purpose of having the person engage in a
9 commercial sex act;

10 (B) recruit, entice, harbor, transport, provide, or obtain any person
11 through force, fraud, or coercion for the purpose of having the person engage
12 in a commercial sex act or compel any person through force, fraud, or coercion
13 to engage in a commercial sex act;

14 (C) patronize a person under the age of 18 for a commercial sex act
15 or patronize any person for a commercial sex act who is being compelled
16 through force, fraud, or coercion to engage in a commercial sex act.

17 (2) "Coercion" as it applies to compelling a person to engage in a
18 commercial sex act means:

19 (A) threat of serious harm, including physical or financial harm to or
20 physical restraint against any person;

1 (B) any scheme, plan, or pattern intended to cause a person to believe
2 that failure to perform an act would result in serious bodily or financial harm to
3 or physical restraint of any person;

4 (C) the abuse or threatened abuse of law or the legal process;

5 (D) withholding, destroying, or confiscating any actual or purported
6 passport, immigration document, or any other government identification
7 document of another person;

8 (E) providing a drug, including alcohol, to another person with the
9 intent to impair the person's judgment or maintain a state of chemical
10 dependence;

11 (F) wrongfully taking, obtaining, or withholding any property of
12 another person;

13 (G) blackmail;

14 (H) asserting control over the finances of another person;

15 (I) debt bondage; or

16 (J) withholding or threatening to withhold food or medication.

17 (c) Penalties for offenses relating to human trafficking range from a
18 maximum of five years imprisonment (facilitation of human trafficking) to a
19 mandatory 20 years to life imprisonment (aggravated trafficking).

20 Sec. 2. REPEAL

21 13 V.S.A. chapter 59, subchapter 2 (prostitution) is repealed.

1 Sec. 3. EFFECTIVE DATE

2 This act shall take effect on July 1, 2020.