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

Sec. 1. LEGISLATIVE INTENT

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

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

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

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

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

(2) “Coercion” as it applies to compelling a person to engage in a commercial sex act means:

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

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

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

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

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

(G) blackmail;

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

(I) debt bondage; or

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

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

Sec. 2. REPEAL

13 V.S.A. chapter 59, subchapter 2 (prostitution) is repealed.
Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2020.