

ASSEMBLY BILL NO. 4—ASSEMBLYMAN HAMBRICK

PREFILED DECEMBER 13, 2010

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to the crime of holding another person in involuntary servitude. (BDR 15-361)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to crimes; revising the provisions relating to the crime of holding another person in involuntary servitude; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that a person who, by certain actions, knowingly subjects, or attempts to subject, another person to forced labor or services is guilty of holding that person in involuntary servitude. (NRS 200.463) This bill provides that in addition to knowingly subjecting, or attempting to subject, another person to forced labor or services, the crime of holding a person in involuntary servitude also includes knowingly subjecting, or attempting to subject, another person to forced "commercial sex acts." The definition of "commercial sex act" in the bill is patterned after the definition of the term contained in federal law, 18 U.S.C. § 1591(e)(3). This bill also adds fraud and artifice as actions by which a person may subject another person to forced labor, services or commercial sex acts.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- Section 1.** NRS 200.463 is hereby amended to read as follows:
200.463 1. A person who knowingly subjects, or attempts to subject, another person to forced labor, ~~for~~ services *or commercial sex acts, including, without limitation, prostitution as defined in NRS 201.295*, by:
(a) Causing or threatening to cause physical harm to any person;



(b) Physically restraining or threatening to physically restrain any person;

(c) Abusing or threatening to abuse the law or legal process;

(d) Knowingly destroying, concealing, removing, confiscating or possessing any actual or purported passport or other immigration document, or any other actual or purported government identification document, of the person;

(e) Extortion; ~~for~~

(f) Causing or threatening to cause financial harm to any person

~~for~~; or

(g) *Fraud or artifice,*

↪ is guilty of holding a person in involuntary servitude.

2. A person who is found guilty of holding a person in involuntary servitude is guilty of a category B felony and shall be punished:

(a) Where the victim suffers substantial bodily harm while held in involuntary servitude or in attempted escape or escape therefrom, by imprisonment in the state prison for a minimum term of not less than 7 years and a maximum term of not more than 20 years, and may be further punished by a fine of not more than \$50,000.

(b) Where the victim suffers no substantial bodily harm as a result of being held in involuntary servitude, by imprisonment in the state prison for a minimum term of not less than 5 years and a maximum term of not more than 20 years, and may be further punished by a fine of not more than \$50,000.

3. *As used in this section, "commercial sex act" means any sex act, on account of which anything of value is given to or received by any person.*

