

SENATE BILL NO. 214—SENATORS GANSERT, KIECKHEFER,
GUSTAVSON, CANCELA, HARDY; GOICOECHEA, MANENDO,
ROBERSON AND SETTELMAYER

FEBRUARY 27, 2017

JOINT SPONSOR: ASSEMBLYWOMAN TOLLES

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to crimes against
children and human trafficking. (BDR 15-891)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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

AN ACT relating to crimes; making the solicitation of certain
children for prostitution punishable as sex trafficking;
establishing the privilege of confidential communication
between persons who are victims of human trafficking
and certain advocates for those victims; increasing
penalties for certain crimes; and providing other matters
properly relating thereto.

Legislative Counsel's Digest:

Existing law: (1) sets forth the specific acts that constitute the crimes of sex
trafficking and prostitution; and (2) provides the terms of imprisonment and fines
that must be imposed against a person convicted of sex trafficking or prostitution.
(NRS 201.300, 201.354) **Section 1** of this bill provides that a person who solicits a
child who is less than 14 years of age for prostitution shall be punished for sex
trafficking.

Existing law establishes a privilege for confidential communication between a
victim of certain crimes and a victim's advocate who works for a nonprofit program
that provides assistance to victims of those crimes. (NRS 49.2541-49.2549) **Section**
2 of this bill defines the crime of human trafficking, and **section 4** of this bill
revises the definition of "victim" to include a person who alleges that an act of
human trafficking has been committed against the person, thus authorizing the
person to assert the privilege of confidential communication between the person
and a victim's advocate.



* S B 2 1 4 *

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

1 **Section 1.** NRS 201.354 is hereby amended to read as follows:
2 201.354 1. It is unlawful for any person to engage in
3 prostitution or solicitation therefor, except in a licensed house of
4 prostitution.

5 2. Except as otherwise provided in ~~subsection 3,~~ *subsections*
6 *3 and 4,* a person who violates subsection 1 is guilty of a
7 misdemeanor.

8 3. ~~IA~~ *Except as otherwise provided in subsection 4, a* person
9 who violates subsection 1 by soliciting a child for prostitution:

10 (a) For a first offense, is guilty of a category E felony and shall
11 be punished as provided in NRS 193.130, and by a fine of not more
12 than \$5,000.

13 (b) For a second offense, is guilty of a category D felony and
14 shall be punished as provided in NRS 193.130.

15 (c) For a third or subsequent offense, is guilty of a category C
16 felony and shall be punished as provided in NRS 193.130. The court
17 shall not grant probation to or suspend the sentence of a person
18 punished pursuant to this paragraph.

19 4. *A person who solicits a child who is less than 14 years of*
20 *age for prostitution shall be punished for sex trafficking as*
21 *provided in NRS 201.300.*

22 **Sec. 2.** Chapter 49 of NRS is hereby amended by adding
23 thereto a new section to read as follows:

24 *“Human trafficking” means a violation of any provision of*
25 *NRS 200.463 to 200.468, inclusive, 201.300 or 201.320 or 18*
26 *U.S.C. § 1589, 1590 or 1591.*

27 **Sec. 3.** NRS 49.2541 is hereby amended to read as follows:

28 49.2541 As used in NRS 49.2541 to 49.2549, inclusive, *and*
29 *section 2 of this act,* the words and terms defined in NRS 49.2542
30 to 49.2545, inclusive, *and section 2 of this act* have the meanings
31 ascribed to them in those sections.

32 **Sec. 4.** NRS 49.2544 is hereby amended to read as follows:

33 49.2544 “Victim” means a person who alleges that an act of
34 domestic violence, *human trafficking* or sexual assault has been
35 committed against the person.

36 **Sec. 5.** This act becomes effective on July 1, 2017.

