

(Reprinted with amendments adopted on May 23, 2019)

SECOND REPRINT

A.B. 166

ASSEMBLY BILL NO. 166—ASSEMBLYMEN
TOLLES; AND ROBERTS

FEBRUARY 15, 2019

JOINT SPONSORS: SENATORS PICKARD AND SPEARMAN

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to prostitution.
(BDR 15-861)

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; establishing the crime of advancing prostitution; revising the penalties for the crime of living from the earnings of a prostitute; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that any person who, without consideration, knowingly accepts, receives, levies or appropriates any money or other valuable thing from the proceeds of a prostitute is guilty of a category D felony. (NRS 201.320) **Section 3** of this bill provides that a person who commits any such act is guilty of the crime of living from the earnings of a prostitute and shall be punished: (1) for a category C felony if physical force or the immediate threat of physical force is used in the commission of the crime; or (2) for a category D felony if no physical force or immediate threat of physical force is used in the commission of the crime.

Section 1 of this bill establishes the crime of advancing prostitution and provides that a person who owns, leases, operates, controls or manages any business or private property is guilty of such a crime if the person: (1) knows or should know that illegal prostitution is being conducted at the business or upon such private property; (2) knows or should know that one or more prostitutes engaging in such illegal prostitution are victims of involuntary servitude; and (3) fails to take reasonable steps to abate such illegal prostitution within 30 days after the person knows or should know about such illegal prostitution. Unless a greater penalty is provided by specific statute, **section 1** provides that a person who is guilty of advancing prostitution shall be punished for a category C felony.



Sections 4-18 of this bill include a reference to the crime of advancing prostitution in each section of NRS that references the crime of living from the earnings of a prostitute.

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

Section 1. Chapter 201 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A person who owns, leases, operates, controls or manages any business or private property and who:

(a) Knows or should know that illegal prostitution is being conducted at the business or upon such private property;

(b) Knows or should know that one or more prostitutes engaging in such illegal prostitution are victims of involuntary servitude as described in NRS 200.463; and

(c) Fails to take reasonable steps to abate such illegal prostitution within 30 days after the date on which the person knows the circumstances set forth in paragraphs (a) and (b),

↪ is guilty of advancing prostitution.

2. Unless a greater penalty is provided by specific statute, a person who is guilty of advancing prostitution shall be punished for a category C felony as provided in NRS 193.130.

3. For the purposes of this section, a person who owns, leases, operates, controls or manages any business or private property shall be deemed:

(a) To know that illegal prostitution is being conducted at the business or upon the private property of the person if a law enforcement agency has notified the person who owns, leases, operates, controls or manages the business or private property, in writing, of at least three incidents of illegal prostitution that occurred at the business or upon the private property of the person within a period of 180 consecutive days.

(b) To know that one or more prostitutes engaging in such illegal prostitution are victims of involuntary servitude as described in NRS 200.463 if, in light of all the surrounding facts and circumstances which are known to the person at the time, a reasonable person would believe, under those facts and circumstances, that one or more prostitutes engaging in such illegal prostitution are victims of involuntary servitude as described in NRS 200.463.

(c) To have taken reasonable steps to abate such illegal prostitution if the person has:

(1) Filed a report of such illegal prostitution with a law enforcement agency;



(2) *Allowed a law enforcement agency to conduct surveillance or an unrestricted undercover operation;*

(3) *Promoted ongoing education about such illegal prostitution for employees; or*

(4) *Used any other available legal means to abate such illegal prostitution.*

Sec. 2. NRS 201.295 is hereby amended to read as follows:

201.295 As used in NRS 201.295 to 201.440, inclusive, *and section 1 of this act*, unless the context otherwise requires:

1. "Adult" means a person 18 years of age or older.

2. "Child" means a person less than 18 years of age.

3. "Induce" means to persuade, encourage, inveigle or entice.

4. "Prostitute" means a male or female person who for a fee, monetary consideration or other thing of value engages in sexual intercourse, oral-genital contact or any touching of the sexual organs or other intimate parts of a person for the purpose of arousing or gratifying the sexual desire of either person.

5. "Prostitution" means engaging in sexual conduct with another person in return for a fee, monetary consideration or other thing of value.

6. "Sexual conduct" means any of the acts enumerated in subsection 4.

7. "Transports" means to transport or cause to be transported, by any means of conveyance, into, through or across this State, or to aid or assist in obtaining such transportation.

Sec. 3. NRS 201.320 is hereby amended to read as follows:

201.320 1. A person who knowingly accepts, receives, levies or appropriates any money or other valuable thing, without consideration, from the proceeds of any prostitute, is guilty of ~~category D felony~~ *living from the earnings of a prostitute* and shall be punished :

(a) *Where physical force or the immediate threat of physical force is used, for a category C felony as provided in NRS 193.130.*

(b) *Where no physical force or immediate threat of physical force is used, for a category D felony* as provided in NRS 193.130.

2. Any such acceptance, receipt, levy or appropriation of money or valuable thing upon any proceedings or trial for violation of this section is presumptive evidence of lack of consideration.

Sec. 4. NRS 201.325 is hereby amended to read as follows:

201.325 1. In addition to any other penalty, the court may order a person convicted of a violation of any provision of NRS 201.300 or 201.320 *or section 1 of this act* to pay restitution to the victim as provided in subsection 2.

2. Restitution ordered pursuant to this section may include, without limitation:



(a) The cost of medical and psychological treatment, including, without limitation, physical and occupational therapy and rehabilitation;

(b) The cost of transportation, temporary housing and child care;

(c) The return of property, the cost of repairing damaged property or the full value of the property if it is destroyed or damaged beyond repair;

(d) Expenses incurred by a victim in relocating away from the defendant or his or her associates, if the expenses are verified by law enforcement to be necessary for the personal safety of the victim;

(e) The cost of repatriation of the victim to his or her home country, if applicable; and

(f) Any and all other losses suffered by the victim as a result of the violation of any provision of NRS 201.300 or 201.320 ~~or~~ *section 1 of this act*.

3. The return of the victim to his or her home country or other absence of the victim from the jurisdiction does not prevent the victim from receiving restitution.

4. As used in this section, "victim" means any person:

(a) Against whom a violation of any provision of NRS 201.300 or 201.320 *or section 1 of this act* has been committed; or

(b) Who is the surviving child of such a person.

Sec. 5. NRS 201.345 is hereby amended to read as follows:

201.345 1. The Attorney General has concurrent jurisdiction with the district attorneys of the counties in this State to prosecute any violation of NRS 201.300 or 201.320 ~~or~~ *section 1 of this act*.

2. When acting pursuant to this section, the Attorney General may commence an investigation and file a criminal action without leave of court and the Attorney General has exclusive charge of the conduct of the prosecution.

Sec. 6. NRS 201.350 is hereby amended to read as follows:

201.350 It shall not be a defense to a prosecution for any of the acts prohibited in NRS 201.300 or 201.320 *or section 1 of this act* that any part of such act or acts shall have been committed outside this state, and the offense shall in such case be deemed and alleged to have been committed, and the offender tried and punished, in any county in which the prostitution was consummated, or any overt act in furtherance of the offense shall have been committed.

Sec. 7. NRS 201.351 is hereby amended to read as follows:

201.351 1. All assets derived from or relating to any violation of NRS 201.300 or 201.320 *or section 1 of this act* are subject to forfeiture pursuant to NRS 179.121 and a proceeding for their forfeiture may be brought pursuant to NRS 179.1156 to 179.121, inclusive.



2. In any proceeding for forfeiture brought pursuant to NRS 179.1156 to 179.121, inclusive, the plaintiff may apply for, and a court may issue without notice or hearing, a temporary restraining order to preserve property which would be subject to forfeiture pursuant to this section if:

(a) The forfeitable property is in the possession or control of the party against whom the order will be entered; and

(b) The court determines that the nature of the property is such that it can be concealed, disposed of or placed beyond the jurisdiction of the court before a hearing on the matter.

3. A temporary restraining order which is issued without notice may be issued for not more than 30 days and may be extended only for good cause or by consent. The court shall provide notice and hold a hearing on the matter before the order expires.

4. Any proceeds derived from a forfeiture of property pursuant to this section and remaining after the distribution required by subsection 1 of NRS 179.118 must be deposited with the county treasurer and distributed to programs for the prevention of child prostitution or for services to victims which are designated to receive such distributions by the district attorney of the county.

Sec. 8. NRS 201.352 is hereby amended to read as follows:

201.352 1. If a person is convicted of a violation of subsection 2 of NRS 201.300 or NRS 201.320 ~~or section 1 of this act~~, the victim of the violation is a child when the offense is committed and physical force or violence or the immediate threat of physical force or violence is used upon the child, the court may, in addition to the term of imprisonment prescribed by statute for the offense and any fine imposed pursuant to subsection 2, impose a fine of not more than \$500,000.

2. If a person is convicted of a violation of subsection 2 of NRS 201.300 or NRS 201.320 ~~or section 1 of this act~~, the victim of the offense is a child when the offense is committed and the offense also involves a conspiracy to commit a violation of subsection 2 of NRS 201.300 or NRS 201.320 ~~or section 1 of this act~~, the court may, in addition to the punishment prescribed by statute for the offense of a provision of subsection 2 of NRS 201.300 or NRS 201.320 ~~or section 1 of this act~~ and any fine imposed pursuant to subsection 1, impose a fine of not more than \$500,000.

3. The provisions of subsections 1 and 2 do not create a separate offense but provide an additional penalty for the primary offense, the imposition of which is contingent upon the finding of the prescribed fact.



Sec. 9. NRS 202.876 is hereby amended to read as follows:
202.876 “Violent or sexual offense” means any act that, if prosecuted in this State, would constitute any of the following offenses:

1. Murder or voluntary manslaughter pursuant to NRS 200.010 to 200.260, inclusive.

2. Mayhem pursuant to NRS 200.280.

3. Kidnapping pursuant to NRS 200.310 to 200.340, inclusive.

4. Sexual assault pursuant to NRS 200.366.

5. Robbery pursuant to NRS 200.380.

6. Administering poison or another noxious or destructive substance or liquid with intent to cause death pursuant to NRS 200.390.

7. Battery with intent to commit a crime pursuant to NRS 200.400.

8. Administering a drug or controlled substance to another person with the intent to enable or assist the commission of a felony or crime of violence pursuant to NRS 200.405 or 200.408.

9. False imprisonment pursuant to NRS 200.460 if the false imprisonment involves the use or threatened use of force or violence against the victim or the use or threatened use of a firearm or a deadly weapon.

10. Assault with a deadly weapon pursuant to NRS 200.471.

11. Battery which is committed with the use of a deadly weapon or which results in substantial bodily harm as described in NRS 200.481 or battery which is committed by strangulation as described in NRS 200.481 or 200.485.

12. An offense involving pornography and a minor pursuant to NRS 200.710 or 200.720.

13. Intentional transmission of the human immunodeficiency virus pursuant to NRS 201.205.

14. Open or gross lewdness pursuant to NRS 201.210.

15. Lewdness with a child pursuant to NRS 201.230.

16. An offense involving pandering or sex trafficking in violation of NRS 201.300 or prostitution in violation of NRS 201.320 **or section 1 of this act.**

17. Coercion pursuant to NRS 207.190, if the coercion involves the use or threatened use of force or violence against the victim or the use or threatened use of a firearm or a deadly weapon.

18. An attempt, conspiracy or solicitation to commit an offense listed in this section.

Sec. 10. NRS 207.360 is hereby amended to read as follows:

207.360 “Crime related to racketeering” means the commission of, attempt to commit or conspiracy to commit any of the following crimes:



1. Murder;
2. Manslaughter, except vehicular manslaughter as described in NRS 484B.657;
3. Mayhem;
4. Battery which is punished as a felony;
5. Kidnapping;
6. Sexual assault;
7. Arson;
8. Robbery;
9. Taking property from another under circumstances not amounting to robbery;
10. Extortion;
11. Statutory sexual seduction;
12. Extortionate collection of debt in violation of NRS 205.322;
13. Forgery, including, without limitation, forgery of a credit card or debit card in violation of NRS 205.740;
14. Obtaining and using personal identifying information of another person in violation of NRS 205.463;
15. Establishing or possessing a financial forgery laboratory in violation of NRS 205.46513;
16. Any violation of NRS 199.280 which is punished as a felony;
17. Burglary;
18. Grand larceny;
19. Bribery or asking for or receiving a bribe in violation of chapter 197 or 199 of NRS which is punished as a felony;
20. Battery with intent to commit a crime in violation of NRS 200.400;
21. Assault with a deadly weapon;
22. Any violation of NRS 453.232, 453.316 to 453.3395, inclusive, except a violation of NRS 453.3393, or NRS 453.375 to 453.401, inclusive;
23. Receiving or transferring a stolen vehicle;
24. Any violation of NRS 202.260, 202.275 or 202.350 which is punished as a felony;
25. Any violation of subsection 2 or 3 of NRS 463.360 or chapter 465 of NRS;
26. Receiving, possessing or withholding stolen goods valued at \$650 or more;
27. Embezzlement of money or property valued at \$650 or more;
28. Obtaining possession of money or property valued at \$650 or more, or obtaining a signature by means of false pretenses;
29. Perjury or subornation of perjury;



30. Offering false evidence;

31. Any violation of NRS 201.300, 201.320 or 201.360 ~~§~~ *or section 1 of this act;*

32. Any violation of NRS 90.570, 91.230 or 686A.290, or insurance fraud pursuant to NRS 686A.291;

33. Any violation of NRS 205.506, 205.920 or 205.930;

34. Any violation of NRS 202.445 or 202.446;

35. Any violation of NRS 205.377;

36. Involuntary servitude in violation of any provision of NRS 200.463 or 200.464 or a violation of any provision of NRS 200.465; or

37. Trafficking in persons in violation of any provision of NRS 200.467 or 200.468.

Sec. 11. NRS 41.1399 is hereby amended to read as follows:

41.1399 1. Any person who is a victim of human trafficking may bring a civil action against any person who caused, was responsible for or profited from the human trafficking.

2. A civil action brought under this section may be instituted in the district court of this State in the county in which the prospective defendant resides or has committed any act which subjects him or her to liability under this section.

3. In an action brought under this section, the court may award such injunctive relief as the court deems appropriate.

4. A plaintiff who prevails in an action brought under this section may recover actual damages, compensatory damages, punitive damages or any other appropriate relief. If a plaintiff recovers actual damages in an action brought under this section and the acts of the defendant were willful and malicious, the court may award treble damages to the plaintiff. If the plaintiff prevails in an action brought under this section, the court may award attorney's fees and costs to the plaintiff.

5. The statute of limitations for an action brought under this section does not commence until:

(a) The plaintiff discovers or reasonably should have discovered that he or she is a victim of human trafficking and that the defendant caused, was responsible for or profited from the human trafficking;

(b) The plaintiff reaches 18 years of age; or

(c) If the injury to the plaintiff results from two or more acts relating to the human trafficking, the final act in the series of acts has occurred,

↳ whichever is later.

6. The statute of limitations for an action brought under this section is tolled for any period during which the plaintiff was under a disability. For the purposes of this subsection, a plaintiff is under a disability if the plaintiff is insane, a person with an intellectual



1 disability, mentally incompetent or in a medically comatose or
2 vegetative state.

3 7. A defendant in an action brought under this section is
4 estopped from asserting that the action was not brought within the
5 statute of limitations if the defendant, or any person acting on behalf
6 of the defendant, has induced the plaintiff to delay bringing an
7 action under this section by subjecting the plaintiff to duress,
8 threats, intimidation, manipulation or fraud or any other conduct
9 inducing the plaintiff to delay bringing an action under this section.

10 8. In the discretion of the court in an action brought under this
11 section:

12 (a) Two or more persons may join as plaintiffs in one action if
13 the claims of those plaintiffs involve at least one defendant in
14 common.

15 (b) Two or more persons may be joined in one action as
16 defendants if those persons may be liable to at least one plaintiff in
17 common.

18 9. The consent of a victim is not a defense to a cause of action
19 brought under this section.

20 10. For the purposes of this section:

21 (a) A victim of human trafficking is a person against whom a
22 violation of any provision of NRS 200.463 to 200.468, inclusive,
23 201.300 or 201.320 **or section 1 of this act**, or 18 U.S.C. § 1589,
24 1590 or 1591 has been committed.

25 (b) It is not necessary that the defendant be investigated,
26 arrested, prosecuted or convicted for a violation of any provision of
27 NRS 200.463 to 200.468, inclusive, 201.300 or 201.320 **or**
28 **section 1 of this act**, or 18 U.S.C. § 1589, 1590 or 1591 to be found
29 liable in an action brought under this section.

30 **Sec. 12.** NRS 49.25425 is hereby amended to read as follows:
31 49.25425 "Human trafficking" means a violation of any
32 provision of NRS 200.463 to 200.468, inclusive, 201.300 or
33 201.320 **or section 1 of this act** or 18 U.S.C. § 1589, 1590 or 1591.

34 **Sec. 13.** NRS 179.121 is hereby amended to read as follows:
35 179.121 1. All personal property, including, without
36 limitation, any tool, substance, weapon, machine, computer, money
37 or security, which is used as an instrumentality in any of the
38 following crimes is subject to forfeiture:

39 (a) The commission of or attempted commission of the crime of
40 murder, robbery, kidnapping, burglary, invasion of the home, grand
41 larceny or theft if it is punishable as a felony;

42 (b) The commission of or attempted commission of any felony
43 with the intent to commit, cause, aid, further or conceal an act of
44 terrorism;

45 (c) A violation of NRS 202.445 or 202.446;



(d) The commission of any crime by a criminal gang, as defined in NRS 213.1263; or

(e) A violation of NRS 200.463 to 200.468, inclusive, 201.300, 201.320, 202.265, 202.287, 205.473 to 205.513, inclusive, 205.610 to 205.810, inclusive, 370.380, 370.382, 370.395, 370.405, 465.070 to 465.086, inclusive, 630.400, 630A.600, 631.400, 632.285, 632.291, 632.315, 633.741, 634.227, 634A.230, 635.167, 636.145, 637.090, 637B.290, 639.100, 639.2813, 640.169, 640A.230, 644A.900 or 654.200 **or section 1 of this act.**

2. Except as otherwise provided for conveyances forfeitable pursuant to NRS 453.301 or 501.3857, all conveyances, including aircraft, vehicles or vessels, which are used or intended for use during the commission of a felony or a violation of NRS 202.287, 202.300 or 465.070 to 465.086, inclusive, are subject to forfeiture except that:

(a) A conveyance used by any person as a common carrier in the transaction of business as a common carrier is not subject to forfeiture under this section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to the felony or violation;

(b) A conveyance is not subject to forfeiture under this section by reason of any act or omission established by the owner thereof to have been committed or omitted without the owner's knowledge, consent or willful blindness;

(c) A conveyance is not subject to forfeiture for a violation of NRS 202.300 if the firearm used in the violation of that section was not loaded at the time of the violation; and

(d) A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party neither had knowledge of nor consented to the felony. If a conveyance is forfeited, the appropriate law enforcement agency may pay the existing balance and retain the conveyance for official use.

3. For the purposes of this section, a firearm is loaded if:

(a) There is a cartridge in the chamber of the firearm;

(b) There is a cartridge in the cylinder of the firearm, if the firearm is a revolver; or

(c) There is a cartridge in the magazine and the magazine is in the firearm or there is a cartridge in the chamber, if the firearm is a semiautomatic firearm.

4. As used in this section, "act of terrorism" has the meaning ascribed to it in NRS 202.4415.



Sec. 14. NRS 179D.0357 is hereby amended to read as follows:

179D.0357 “Crime against a child” means any of the following offenses if the victim of the offense was less than 18 years of age when the offense was committed:

1. Kidnapping pursuant to NRS 200.310 to 200.340, inclusive, unless the offender is the parent or guardian of the victim.

2. False imprisonment pursuant to NRS 200.460, unless the offender is the parent or guardian of the victim.

3. Involuntary servitude of a child pursuant to NRS 200.4631, unless the offender is the parent or guardian of the victim.

4. An offense involving sex trafficking pursuant to subsection 2 of NRS 201.300 or prostitution pursuant to NRS 201.320 ~~or~~ *section 1 of this act.*

5. An attempt to commit an offense listed in this section.

6. An offense committed in another jurisdiction that, if committed in this State, would be an offense listed in this section. This subsection includes, without limitation, an offense prosecuted in:

(a) A tribal court.

(b) A court of the United States or the Armed Forces of the United States.

7. An offense against a child committed in another jurisdiction, whether or not the offense would be an offense listed in this section, if the person who committed the offense resides or has resided or is or has been a student or worker in any jurisdiction in which the person is or has been required by the laws of that jurisdiction to register as an offender who has committed a crime against a child because of the offense. This subsection includes, without limitation, an offense prosecuted in:

(a) A tribal court.

(b) A court of the United States or the Armed Forces of the United States.

(c) A court having jurisdiction over juveniles.

Sec. 15. NRS 179D.115 is hereby amended to read as follows:

179D.115 “Tier II offender” means an offender convicted of a crime against a child or a sex offender, other than a Tier III offender, whose crime against a child is punishable by imprisonment for more than 1 year or whose sexual offense:

1. If committed against a child, constitutes:

(a) Luring a child pursuant to NRS 201.560, if punishable as a felony;

(b) Abuse of a child pursuant to NRS 200.508, if the abuse involved sexual abuse or sexual exploitation;



(c) An offense involving sex trafficking pursuant to NRS 201.300 or prostitution pursuant to NRS 201.320 ~~or~~ *or section 1 of this act;*

(d) An offense involving pornography and a minor pursuant to NRS 200.710 to 200.730, inclusive; or

(e) Any other offense that is comparable to or more severe than the offenses described in ~~[42 U.S.C. § 16911(3);]~~ *34 U.S.C. § 20911(3);*

2. Involves an attempt or conspiracy to commit any offense described in subsection 1;

3. If committed in another jurisdiction, is an offense that, if committed in this State, would be an offense listed in this section. This subsection includes, without limitation, an offense prosecuted in:

(a) A tribal court; or

(b) A court of the United States or the Armed Forces of the United States; or

4. Is committed after the person becomes a Tier I offender if any of the person's sexual offenses constitute an offense punishable by imprisonment for more than 1 year.

Sec. 16. NRS 217.400 is hereby amended to read as follows:

217.400 As used in NRS 217.400 to 217.475, inclusive, unless the context otherwise requires:

1. "Dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement. The term does not include a casual relationship or an ordinary association between persons in a business or social context.

2. "Division" means the Division of Child and Family Services of the Department of Health and Human Services.

3. "Domestic violence" means:

(a) The attempt to cause or the causing of bodily injury to a family or household member or the placing of the member in fear of imminent physical harm by threat of force.

(b) Any of the following acts committed by a person against a family or household member, a person with whom he or she had or is having a dating relationship or with whom he or she has a child in common, or upon his or her minor child or a minor child of that person:

(1) A battery.

(2) An assault.

(3) Compelling the other by force or threat of force to perform an act from which he or she has the right to refrain or to refrain from an act which he or she has the right to perform.

(4) A sexual assault.



(5) A knowing, purposeful or reckless course of conduct intended to harass the other. Such conduct may include, without limitation:

(I) Stalking.

(II) Arson.

(III) Trespassing.

(IV) Larceny.

(V) Destruction of private property.

(VI) Carrying a concealed weapon without a permit.

(6) False imprisonment.

(7) Unlawful entry of the other's residence, or forcible entry against the other's will if there is a reasonably foreseeable risk of harm to the other from the entry.

4. "Family or household member" means a spouse, a former spouse, a parent or other adult person who is related by blood or marriage or is or was actually residing with the person committing the act of domestic violence.

5. "Participant" means an adult, child or incapacitated person for whom a fictitious address has been issued pursuant to NRS 217.462 to 217.471, inclusive.

6. "Victim of domestic violence" includes the dependent children of the victim.

7. "Victim of human trafficking" means a person who is a victim of:

(a) Involuntary servitude as set forth in NRS 200.463 or 200.464.

(b) A violation of any provision of NRS 200.465.

(c) Trafficking in persons in violation of any provision of NRS 200.467 or 200.468.

(d) Sex trafficking in violation of any provision of NRS 201.300.

(e) A violation of NRS 201.320 ~~H~~ or section 1 of this act.

8. "Victim of sexual assault" means a person who has been sexually assaulted as defined in NRS 200.366 or a person upon whom a sexual assault has been attempted.

9. "Victim of stalking" means a person who is a victim of the crime of stalking or aggravated stalking as set forth in NRS 200.575.

Sec. 17. NRS 217.520 is hereby amended to read as follows:

217.520 "Victim of human trafficking" means a person who is a victim of:

1. Involuntary servitude as set forth in NRS 200.463 or 200.464.

2. A violation of any provision of NRS 200.465.

3. Trafficking in persons in violation of any provision of NRS 200.467 or 200.468.



1 4. Pandering in violation of any provision of NRS 201.300.

2 5. A violation of NRS 201.320 ~~§~~ *or section 1 of this act.*

3 **Sec. 18.** NRS 432.157 is hereby amended to read as follows:

4 432.157 1. The Office of Advocate for Missing or Exploited
5 Children is hereby created within the Office of the Attorney
6 General. The Advocate for Missing or Exploited Children may be
7 known as the Children's Advocate.

8 2. The Attorney General shall appoint the Children's Advocate.
9 The Children's Advocate is in the unclassified service of the State.

10 3. The Children's Advocate:

11 (a) Must be an attorney licensed to practice law in this state;

12 (b) Shall advise and represent the Clearinghouse on all matters
13 concerning missing or exploited children in this state; and

14 (c) Shall advocate the best interests of missing or exploited
15 children before any public or private body.

16 4. The Children's Advocate may:

17 (a) Appear as an amicus curiae on behalf of missing or exploited
18 children in any court in this state;

19 (b) If requested, advise a political subdivision of this state
20 concerning its duty to protect missing or exploited children;

21 (c) Recommend legislation concerning missing or exploited
22 children; and

23 (d) Investigate and prosecute any alleged crime involving the
24 exploitation of children, including, without limitation, sex
25 trafficking in violation of subsection 2 of NRS 201.300 or a
26 violation of NRS 201.320 ~~§~~ *or section 1 of this act.*

27 5. Upon request by the Children's Advocate, a district attorney
28 or local law enforcement agency in this state shall provide all
29 information and assistance necessary to assist the Children's
30 Advocate in carrying out the provisions of this section.

31 6. The Children's Advocate may apply for any available grants
32 and accept gifts, grants, bequests, appropriations or donations to
33 assist the Children's Advocate in carrying out his or her duties
34 pursuant to this section. Any money received by the Children's
35 Advocate must be deposited in the Special Account for the Support
36 of the Office of Advocate for Missing or Exploited Children, which
37 is hereby created in the State General Fund.

38 7. Interest and income earned on money in the Special Account
39 must be credited to the Special Account.

40 8. Money in the Special Account may only be used for the
41 support of the Office of Advocate for Missing or Exploited Children
42 and its activities pursuant to subsection 2 of NRS 201.300, NRS
43 201.320 and 432.150 to 432.220, inclusive ~~§~~ *, and section 1 of this*
44 *act.*



1 9. Money in the Special Account must remain in the Special
2 Account and must not revert to the State General Fund at the end of
3 any fiscal year.

4 **Sec. 19.** The amendatory provisions of this act apply to an
5 offense committed on or after the effective date of this act.

6 **Sec. 20.** This act becomes effective upon passage and
7 approval.

