

SENATE BILL NO. 170—SENATORS STONE, KRASNER, HANSEN,  
BUCK, TITUS; GOICOECHEA AND SEEVERS GANSERT

FEBRUARY 16, 2023

JOINT SPONSORS: ASSEMBLYMEN YUREK, DICKMAN, KASAMA,  
GRAY; GALLANT, HANSEN AND KOENIG

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to crimes. (BDR 15-581)

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 various provisions governing the penalties for sex trafficking and facilitating sex trafficking; providing for the admissibility of certain evidence relating to the character of the defendant in a prosecution for an offense involving domestic violence; providing penalties; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law establishes certain acts that constitute sex trafficking. A person who is guilty of sex trafficking: (1) an adult is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 3 years and a maximum term of not more than 10 years; and (2) a child is guilty of a category A felony and shall be punished by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 15, 10 or 5 years have been served, depending on the age of the child. (NRS 201.300) **Section 1** of this bill increases the penalty for sex trafficking an adult victim from a minimum term of 3 years and a maximum term of 10 years to a minimum term of 10 years and a maximum term of 15 years. **Section 1** also increases the term of imprisonment that must be served before a person is eligible for parole for sex trafficking a child to: (1) 25 years, if the child is less than 14 years of age when the offense is committed; (2) 20 years, if the child is at least 14 years of age but less than 16 years of age when the offense is committed; and (3) 10 years, if the child is at least 16 years of age but less than 18 years of age when the offense is committed.



Existing law establishes certain specific acts that constitute the crime of facilitating sex trafficking and provides that a person who is guilty of facilitating sex trafficking is guilty of a category B felony and is subject to certain minimum and maximum terms of imprisonment, depending on whether the victim is an adult or a child. (NRS 201.301) **Section 2** of this bill increases the penalty for facilitating sex trafficking of: (1) a victim who is 18 years of age or older from a minimum term of 1 year and a maximum term of 6 years to a minimum term of 5 years and a maximum term of 10 years; and (2) a victim who is less than 18 years of age from a minimum term of 3 years and a maximum term of 10 years to a minimum term of 10 years and a maximum term of 15 years.

Existing law prohibits, in general, the admissibility of evidence of a person's character or a trait of his or her character for the purpose of proving that the person acted in conformity therewith on a particular occasion. However, existing law does not prohibit the admission of certain such evidence in a criminal prosecution for a sexual offense. (NRS 48.045) **Section 3** of this bill similarly provides for the admission of evidence in a criminal prosecution for an offense relating to domestic violence that a person committed another crime, wrong or act that constitutes a separate offense involving domestic violence.

---

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

---

**Section 1.** NRS 201.300 is hereby amended to read as follows:  
201.300 1. A person who without physical force or the immediate threat of physical force, induces an adult to unlawfully become a prostitute or to continue to engage in prostitution, or to enter any place within this State in which prostitution is practiced, encouraged or allowed for the purpose of sexual conduct or prostitution is guilty of pandering which is a category C felony and shall be punished as provided in NRS 193.130. This subsection does not apply to the customer of a prostitute.

2. A person:

(a) Is guilty of sex trafficking if the person:

(1) Induces, causes, recruits, harbors, transports, provides, obtains or maintains a child to engage in prostitution, or to enter any place within this State in which prostitution is practiced, encouraged or allowed for the purpose of sexual conduct or prostitution;

(2) Induces, recruits, harbors, transports, provides, obtains or maintains a person by any means, knowing, or in reckless disregard of the fact, that threats, violence, force, intimidation, fraud, duress or coercion will be used to cause the person to engage in prostitution, or to enter any place within this State in which prostitution is practiced, encouraged or allowed for the purpose of sexual conduct or prostitution;

(3) By threats, violence, force, intimidation, fraud, duress, coercion, by any device or scheme, or by abuse of any position of confidence or authority, or having legal charge, takes, places,



1 harbors, induces, causes, compels or procures a person to engage in  
2 prostitution, or to enter any place within this State in which  
3 prostitution is practiced, encouraged or allowed for the purpose of  
4 sexual conduct or prostitution;

5 (4) Takes or detains a person with the intent to compel the  
6 person by force, violence, threats or duress to marry him or her or  
7 any other person; or

8 (5) Receives anything of value with the specific intent of  
9 facilitating a violation of this paragraph.

10 (b) Who is found guilty of sex trafficking:

11 (1) An adult is guilty of a category B felony and shall be  
12 punished by imprisonment in the state prison for a minimum term of  
13 not less than ~~{3}~~ 10 years and a maximum term of not more than  
14 ~~{10}~~ 15 years, and may be further punished by a fine of not more  
15 than \$10,000.

16 (2) A child:

17 (I) If the child is less than 14 years of age when the  
18 offense is committed, is guilty of a category A felony and shall be  
19 punished by imprisonment in the state prison for life with the  
20 possibility of parole, with eligibility for parole beginning when a  
21 minimum of ~~{15}~~ 25 years has been served, and may be further  
22 punished by a fine of not more than \$20,000.

23 (II) If the child is at least 14 years of age but less than 16  
24 years of age when the offense is committed, is guilty of a category  
25 A felony and shall be punished by imprisonment in the state prison  
26 for life with the possibility of parole, with eligibility for parole  
27 beginning when a minimum of ~~{10}~~ 20 years has been served, and  
28 may be further punished by a fine of not more than \$10,000.

29 (III) If the child is at least 16 years of age but less than 18  
30 years of age when the offense is committed, is guilty of a category  
31 A felony and shall be punished by imprisonment in the state prison  
32 for life with the possibility of parole, with eligibility for parole  
33 beginning when a minimum of ~~{5}~~ 10 years has been served, and  
34 may be further punished by a fine of not more than \$10,000.

35 3. A court shall not grant probation to or suspend the sentence  
36 of a person convicted of sex trafficking a child pursuant to  
37 subsection 2.

38 4. Consent of a victim of pandering or sex trafficking to an act  
39 of prostitution is not a defense to a prosecution for any of the acts  
40 prohibited by this section.

41 5. In a prosecution for sex trafficking a child pursuant to  
42 subsection 2, it is not a defense that the defendant did not have  
43 knowledge of the victim's age, nor is reasonable mistake of age a  
44 valid defense to a prosecution conducted pursuant to subsection 2.



1       **Sec. 2.** NRS 201.301 is hereby amended to read as follows:  
2       201.301 1. A person is guilty of facilitating sex trafficking if  
3 the person:

4       (a) Facilitates, arranges, provides or pays for the transportation  
5 of a person to or within this State with the intent of:

6       (1) Inducing the person to engage in prostitution in violation  
7 of subparagraph (1), (2) or (3) of paragraph (a) of subsection 2 of  
8 NRS 201.300;

9       (2) Inducing the person to enter any place within this State in  
10 which prostitution is practiced, encouraged or allowed for the  
11 purpose of sexual conduct or prostitution in violation of  
12 subparagraph (1), (2) or (3) of paragraph (a) of subsection 2 of NRS  
13 201.300; or

14       (3) If the person is a child, using the person for any act that is  
15 prohibited by NRS 200.710 or 200.720;

16       (b) Sells travel services that facilitate the travel of another  
17 person to this State with the knowledge that the other person is  
18 traveling to this State for the purpose of:

19       (1) Engaging in sexual conduct with a person who has been  
20 induced to engage in sexual conduct or prostitution in violation of  
21 subparagraph (1), (2) or (3) of paragraph (a) of subsection 2 of  
22 NRS 201.300;

23       (2) Soliciting a child who has been induced to engage in  
24 sexual conduct or prostitution in violation of subparagraph (1), (2)  
25 or (3) of paragraph (a) of subsection 2 of NRS 201.300; or

26       (3) Engaging in any act involving a child that is prohibited  
27 by NRS 200.710 or 200.720; or

28       (c) Travels to or within this State by any means with the intent  
29 of engaging in:

30       (1) Sexual conduct with a person who has been induced to  
31 engage in sexual conduct or prostitution in violation of  
32 subparagraph (1), (2) or (3) of paragraph (a) of subsection 2 of NRS  
33 201.300, with the knowledge that such a person has been induced to  
34 engage in such sexual conduct or prostitution; or

35       (2) Any act involving a child that is prohibited by NRS  
36 200.710 or 200.720.

37       2. A person who is found guilty of facilitating sex trafficking is  
38 guilty of a category B felony and:

39       (a) If the victim is 18 years of age or older, shall be punished by  
40 imprisonment in the state prison for a minimum term of not less  
41 than ~~1 year~~ **5 years** and a maximum term of not more than ~~6~~ **10**  
42 years.

43       (b) If the victim is less than 18 years of age, shall be punished  
44 by imprisonment in the state prison for a minimum term of not less



1 than ~~10~~ 10 years and a maximum term of not more than ~~15~~ 15  
2 years.

3 **Sec. 3.** NRS 48.045 is hereby amended to read as follows:

4 48.045 1. Evidence of a person's character or a trait of his or  
5 her character is not admissible for the purpose of proving that the  
6 person acted in conformity therewith on a particular occasion,  
7 except:

8 (a) Evidence of a person's character or a trait of his or her  
9 character offered by an accused, and similar evidence offered by the  
10 prosecution to rebut such evidence;

11 (b) Evidence of the character or a trait of character of the victim  
12 of the crime offered by an accused, subject to the procedural  
13 requirements of NRS 48.069 where applicable, and similar evidence  
14 offered by the prosecution to rebut such evidence; and

15 (c) Unless excluded by NRS 50.090, evidence of the character  
16 of a witness, offered to attack or support his or her credibility,  
17 within the limits provided by NRS 50.085.

18 2. Evidence of other crimes, wrongs or acts is not admissible to  
19 prove the character of a person in order to show that the person  
20 acted in conformity therewith. It may, however, be admissible for  
21 other purposes, such as proof of motive, opportunity, intent,  
22 preparation, plan, knowledge, identity, or absence of mistake or  
23 accident.

24 3. Nothing in this section shall be construed to prohibit the  
25 admission of evidence in a criminal prosecution for a sexual offense  
26 that a person committed another crime, wrong or act that constitutes  
27 a separate sexual offense.

28 *4. Nothing in this section shall be construed to prohibit the*  
29 *admission of evidence in a criminal prosecution for an offense*  
30 *involving domestic violence that a person committed another*  
31 *crime, wrong or act that constitutes a separate offense involving*  
32 *domestic violence.*

33 5. As used in this ~~subsection, "sexual"~~ section:

34 (a) *"Domestic violence" means the commission of any act*  
35 *described in NRS 33.018.*

36 (b) *"Sexual offense"* has the meaning ascribed to it in  
37 NRS 179D.097.

38 **Sec. 4.** This act becomes effective on July 1, 2023.

