

S.F. No. 765 – Sex Trafficking/Prostitution and other Criminal Justice-Related Changes

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Section 1 amends the definition of “violent crime” in the section of law that provides for increased sentences for certain dangerous and repeat felony offenders by adding the crime of solicitation, inducement, and promotion of prostitution/sex trafficking.

Section 2 makes a conforming change by striking the reference to the prostitution crime being repealed in **section 11**.

Sections 3 and 4 increase by five years the statutory maximum sentences for the solicitation, inducement, and promotion of prostitution/sex trafficking crimes.

Section 5 increases the penalty for a prostitution offense committed by a patron from a misdemeanor to a gross misdemeanor. Strikes the current gross misdemeanor penalty applicable to a patron engaging in prostitution in a public place. (Under the bill, there would be no distinction between engaging in prostitution in a public versus a nonpublic place while acting as a patron.) Adds an enhanced felony penalty (statutory maximum sentence of five years imprisonment and/or \$10,000 fine) for a person who violates the prostitution crime while acting as a patron provision within ten years of a previous conviction for a prostitution-related offense. (Under the bill, the penalties for engaging in prostitution while acting as a prostitute remain unchanged.)

Sections 6 and 7 make conforming changes by striking the references to the prostitution crime being repealed in **section 11**.

Section 8 increases the statutory maximum sentences for the crimes of solicitation of a child to engage in sexual conduct/communication of sexually explicit images to a child from three years imprisonment and/or a \$5,000 fine to five years imprisonment and/or a \$10,000 fine.

Section 9 makes it a gross misdemeanor to trespass upon the grounds of a facility that provides emergency shelter services or transitional housing for sex trafficking victims.

Section 10 directs the Minnesota Sentencing Guidelines Commission to comprehensively review and consider modifying how the guidelines and the sex offender grid address solicitation, inducement, and promotion of prostitution/sex trafficking.

Section 11 repeals the current misdemeanor-level crime for engaging in prostitution as a patron (see **section 5**, which increases the penalty for this crime to a gross misdemeanor).