

AMENDMENTS TO SENATE BILL NO. 60

Sponsor: SENATOR PHILLIPS-HILL

Printer's No. 941

1 Amend Bill, page 1, line 4, by striking out "and" and
2 inserting a comma

3 Amend Bill, page 1, lines 5 through 7, by striking out "; in
4 public" in line 5, all of line 6 and "and related offenses;" in
5 line 7 and inserting
6 and for asset forfeiture;

7 Amend Bill, page 1, line 8, by striking out "and for recorded
8 testimony"

9 Amend Bill, page 1, lines 12 through 14, by striking out all
10 of said lines and inserting

11 Section 1. Section 3011 of Title 18 of the Pennsylvania
12 Consolidated Statutes is amended to read:

13 Amend Bill, page 2, lines 8 and 9, by striking out ":",
14 (I)"

15 Amend Bill, page 2, lines 11 and 12, by striking out "; AND
16 (II) KNOWS THAT, OR IS RECKLESS AS TO WHETHER," and
17 inserting

18 if the person knows or recklessly disregards that

19 Amend Bill, page 2, line 13, by striking out "AND" and
20 inserting

21 or

22 Amend Bill, page 2, line 27, by striking out "OR" and

1 inserting
2 and
3 Amend Bill, page 2, line 29, by striking out "INDIVIDUALS"
4 and inserting
5 minors
6 Amend Bill, page 2, line 29, by striking out "BY THE PERSON"
7 Amend Bill, page 2, by inserting between lines 29 and 30
8 Section 2. Section 3013(a) and (c) of Title 18 are amended
9 and the section is amended by adding a subsection to read:
10 Amend Bill, page 3, line 1, by striking out all of said line
11 and inserting
12 (a) Offense defined.--
13 (1) A person commits a felony of the
14 Amend Bill, page 3, line 3, by striking out the bracket
15 before "knowing"
16 Amend Bill, page 3, lines 3 and 4, by striking out "] and
17 knows, reasonably should have known or recklessly disregards the
18 fact,"
19 Amend Bill, page 3, by inserting between lines 6 and 7
20 (2) A person commits an offense if the person engages in
21 any sex act or performance with another individual with
22 reckless disregard for whether the act or performance is the
23 result of the individual being a victim of human trafficking.
24 An offense under this paragraph constitutes:
25 (i) A felony of the third degree when the offense is
26 a first offense.
27 (ii) A felony of the first degree when the offense
28 is a second or subsequent offense.
29 Amend Bill, page 3, lines 14 through 17, by striking out all
30 of said lines and inserting
31 (1) Except as otherwise provided in paragraph (2):
32 (i) Not less than \$1,000 and not more than the
33 maximum amount applicable under section 1101 (relating to
34 fines).
35 (ii) A person convicted of a second offense shall

1 pay a fine of not less than \$5,000 nor more than \$25,000.

2 (iii) A person convicted of a third or subsequent
3 offense shall pay a fine of not less than \$10,000 nor
4 more than \$50,000.

5 (2) Not less than \$10,000 no more than \$50,000, if the
6 victim of sexual servitude was a minor at the time of the
7 offense.

8 (d) Distribution of fines.--

9 (1) From all fines collected under this section, 50%
10 shall be deposited in the Safe Harbor for Sexually Exploited
11 Children Fund established under section 3064 (relating to
12 Safe Harbor for Sexually Exploited Children Fund) and 50%
13 shall be deposited in the restricted account established in
14 paragraph (2).

15 (2) The Prevention of Human Trafficking Restricted
16 Account is established in the General Fund. The money in the
17 restricted account is appropriated on a continuing basis to
18 the commission for the purpose of funding the grant programs
19 under section 3031 (relating to grants).

20 Amend Bill, page 3, lines 18 through 30; page 4, lines 1
21 through 8; by striking out all of said lines on said pages and
22 inserting

23 Section 3. Section 3021(m) of Title 18 is amended to read:
24 § 3021. Asset forfeiture.

25 * * *

26 (m) Disposition of proceeds.--Subject to subsection (d), all
27 moneys forfeited and the proceeds from the sale of all property
28 forfeited and seized under this section shall be paid as
29 follows:

30 (1) Any law enforcement agency shall be reimbursed if it
31 has used its own funds in the detection, investigation,
32 apprehension and prosecution of persons for violation of
33 sections 3011 and 3012.

34 (2) Any amount remaining after reimbursement under
35 paragraph (1) shall be distributed under the following
36 formula:

37 (i) Thirty percent to the office of the prosecuting
38 attorney to be used to investigate and prosecute human
39 trafficking cases.

40 (ii) Seventy percent to the commission, one-half of
41 which shall be [used] deposited in the restricted account
42 established in section 3013(d)(2) (relating to
43 patronizing a victim of sexual servitude) to fund the
44 grant programs established under section 3031 (relating
45 to grants) and one-half to be used by the Office of
46 Victims' Services within the commission to provide
47 services to victims of human trafficking in the manner
48 set forth in Chapter 9 of the act of November 24, 1998

1 (P.L.882, No.111), known as the Crime Victims Act.

2 * * *

3 Amend Bill, page 4, line 9, by striking out "3" and inserting

4 4

5 Amend Bill, page 4, line 9, by striking out "Sections 5982

6 and 5984.1" and inserting

7 Section 5982

8 Amend Bill, page 4, line 9, by striking out "are" and

9 inserting

10 is

11 Amend Bill, page 5, lines 6 through 30; page 6, lines 1

12 through 28; by striking out all of said lines on said pages

13 Amend Bill, page 6, line 29, by striking out "4" and

14 inserting

15 5