

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 POLICY COMMITTEE  
4 RECOMMENDATION

5 FOR

6 HOUSE BILL NO. 1215

By: West (Kevin)

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8 POLICY COMMITTEE RECOMMENDATION

9 An Act relating to human trafficking; creating the  
10 Oklahoma Human Trafficking Law; amending 21 O.S.  
11 2021, Section 748, as amended by Section 1, Chapter  
12 20, O.S.L. 2022 (21 O.S. Supp. 2024, Section 748),  
13 which relates to penalties for human trafficking;  
14 updating statutory citation; modifying scope of  
15 certain defined terms; adding definition; modifying  
16 penalties; requiring registration with the Sex  
17 Offenders Registration Act; directing the Department  
18 of Corrections to submit information to the Federal  
19 Bureau of Investigation; providing for  
20 noncodification; and providing an effective date.

21 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

22 SECTION 1. NEW LAW A new section of law not to be  
23 codified in the Oklahoma Statutes reads as follows:

24 This act shall be known and may be cited as the "Oklahoma Human  
Trafficking Law".

SECTION 2. AMENDATORY 21 O.S. 2021, Section 748, as  
amended by Section 1, Chapter 20, O.S.L. 2022 (21 O.S. Supp. 2024,  
Section 748), is amended to read as follows:

1 Section 748. A. As used in Sections 748 and 748.2 of this  
2 title:

3 1. "Coercion" means compelling, forcing or intimidating a  
4 person to act by:

5 a. threats of harm ~~or~~, physical restraint, or acts of  
6 violence committed against any person,

7 b. any act, threat, scheme, plan, or pattern intended to  
8 cause a person to believe that performing, or failing  
9 to perform, an act would result in serious physical,  
10 financial, or emotional harm or distress to or  
11 physical restraint against any person,

12 c. the abuse or threatened abuse of the law or legal  
13 process,

14 d. knowingly destroying, concealing, removing,  
15 confiscating or possessing any actual or purported  
16 passport, labor or immigration document, or other  
17 government identification document, including but not  
18 limited to a driver license or birth certificate, of  
19 another person,

20 e. facilitating or controlling a person's access to any  
21 addictive or controlled substance other than for legal  
22 medical purposes,

23 f. blackmail,  
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- 1           g. demanding or claiming money, goods, or any other thing  
2           of value from or on behalf of a prostituted person  
3           where such demand or claim arises from or is directly  
4           related to the act of prostitution,
- 5           h. determining, dictating or setting the times at which  
6           another person will be available to engage in an act  
7           of prostitution with a third party,
- 8           i. determining, dictating or setting the places at which  
9           another person will be available for solicitation of,  
10          or to engage in, an act of prostitution with a third  
11          party, ~~or~~
- 12          j. determining, dictating or setting the places at which  
13          another person will reside for purposes of making such  
14          person available to engage in an act of prostitution  
15          with a third party, or
- 16          k. extortion, obtaining property or money from another  
17          with consent, induced by a wrongful use of force or  
18          fear;

19          2. "Commercial sex" means any form of commercial sexual  
20 activity such as sexually explicit performances, prostitution,  
21 participation in the production of pornography, performance in a  
22 strip club, or exotic dancing or display;

23          3. "Debt bondage" means the status or condition of a debtor  
24 arising from a pledge by the debtor of his or her personal services

1 or of those of a person under his or her control as a security for  
2 debt if the value of those services as reasonably assessed is not  
3 applied toward the liquidation of the debt or the length and nature  
4 of those services are not respectively limited and defined;

5 4. "Human trafficking" means modern-day slavery that includes,  
6 but is not limited to, extreme exploitation and the denial of  
7 freedom or liberty of an individual for purposes of deriving benefit  
8 from that individual's commercial sex act or labor;

9 5. "Human trafficking for labor" means:

10 a. recruiting, enticing, harboring, maintaining,  
11 transporting, providing or obtaining, by any means,  
12 another person through deception, force, fraud, threat  
13 or coercion or for purposes of engaging the person in  
14 labor, or

15 b. benefiting, financially or by receiving anything of  
16 value, from participation in a venture that has  
17 engaged in an act of trafficking for labor;

18 6. "Human trafficking for commercial sex" means:

19 a. pimping, recruiting, enticing, harboring, maintaining,  
20 transporting, providing or obtaining, by any means,  
21 another person through deception, force, fraud, threat  
22 or coercion for purposes of engaging the person in a  
23 commercial sex act,

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1           b. pimping, recruiting, enticing, harboring, maintaining,  
2           transporting, providing, purchasing or obtaining, by  
3           any means, a minor for purposes of engaging the minor  
4           in a commercial sex act, or

5           c. benefiting, financially or by receiving anything of  
6           value, from participating in a venture that has  
7           engaged in an act of trafficking for commercial sex;

8           7. "Legal process" means the criminal law, the civil law, or  
9           the regulatory system of the federal government, any state,  
10          territory, district, commonwealth, or trust territory therein, and  
11          any foreign government or subdivision thereof and includes legal  
12          civil actions, criminal actions, and regulatory petitions or  
13          applications;

14          8. "Minor" means an individual under eighteen (18) years of  
15          age; ~~and~~

16          9. "Pimping" means a person who procures a prostitute for a  
17          customer and receives the earnings from the services provided by the  
18          prostitute; and

19          10. "Victim" means a person against whom a violation of any  
20          provision of this section has been committed.

21          B. It shall be unlawful to knowingly engage in human  
22          trafficking.

23          C. Any person violating the provisions of this section shall,  
24          upon conviction, be guilty of a felony punishable by imprisonment in

1 the custody of the Department of Corrections for a term of not less  
2 than five (5) years ~~or for life~~ and not exceeding twenty (20) years,  
3 or by a fine of not more than One Hundred Thousand Dollars  
4 (\$100,000.00), or by both such fine and imprisonment. Any person  
5 violating the provisions of this section where the victim of the  
6 offense is under eighteen (18) years of age at the time of the  
7 offense shall, upon conviction, be guilty of a felony punishable by  
8 imprisonment in the custody of the Department of Corrections for a  
9 term of not less than fifteen (15) years ~~or for life~~ and not  
10 exceeding ninety-nine (99) years, or by a fine of not more than Two  
11 Hundred Fifty Thousand Dollars (\$250,000.00), or by both such fine  
12 and imprisonment. The court shall also order the defendant to pay  
13 restitution to the victim as provided in Section 991f of Title 22 of  
14 the Oklahoma Statutes. If the person is convicted of human  
15 trafficking, the person shall serve eighty-five percent (85%) of the  
16 sentence before being eligible for parole consideration or any  
17 earned credits. The terms of imprisonment specified in this  
18 subsection shall not be subject to statutory provisions for  
19 suspension, deferral or probation, or state correctional institution  
20 earned credits accruing from and after November 1, 1989, except for  
21 the achievement earned credits authorized by subsection H of Section  
22 138 of Title 57 of the Oklahoma Statutes. To qualify for such  
23 achievement earned credits, such inmates must also be in compliance  
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1 with the standards for Class level 2 behavior, as defined in  
2 subsection D of Section 138 of Title 57 of the Oklahoma Statutes.

3 D. 1. Any person convicted of human trafficking for commercial  
4 sex shall be required to register as a sex offender pursuant to the  
5 provisions of the Sex Offenders Registration Act.

6 2. The Department of Corrections shall forward the name and  
7 conviction information of any person convicted of human trafficking  
8 to the Human Trafficking-Uniform Crime Reporting Program of the  
9 Federal Bureau of Investigation.

10 E. It is an affirmative defense to prosecution for a criminal,  
11 youthful offender, or delinquent offense that, during the time of  
12 the alleged commission of the offense, the defendant or alleged  
13 youthful offender or delinquent was a victim of human trafficking.

14 ~~E.~~ F. The consent of a victim to the activity prohibited by  
15 this section shall not constitute a defense.

16 ~~F.~~ G. Lack of knowledge of the age of the victim shall not  
17 constitute a defense to the activity prohibited by this section with  
18 respect to human trafficking of a minor.

19 SECTION 3. This act shall become effective November 1, 2025.

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21 60-1-12786 GRS 02/20/25

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