

609.321 <b>Prostitution and Sex Exploitation and Trafficking; Definitions</b>	<p>Scope. For the purposes of sections 609.321 to 609.325, the following terms have the meanings given.</p> <p>"Business of prostitution" means any arrangement between or organization of two or more persons, acting other than as prostitutes or patrons, who commit acts punishable under sections 609.321 to 609.324.</p> <p>"Patron" means an individual who engages in prostitution by hiring, offering to hire, or agreeing to hire another individual to engage in sexual penetration or sexual contact</p> <p>"Place of prostitution" means a house or other place where prostitution is practiced.</p> <p>"Promotes the prostitution exploitation and trafficking of an individual" means any of the following wherein the person knowingly: (1) solicits or procures patrons for a prostitute sex trafficking victim; (2) provides, leases or otherwise permits premises or facilities owned or controlled by the person to aid the prostitution trafficking of an individual; (3) owns, manages, supervises, controls, keeps or operates, either alone or with others, a place of prostitution to aid the prostitution trafficking/exploitation of an individual; (4) owns, manages, supervises, controls, operates, institutes, aids or facilitates, either alone or with others, a business of prostitution to aid the prostitution of an individual; (5) admits a patron to a place of prostitution to aid the prostitution of an individual; or (6) (4) transports an individual from one point within this state to another point either within or without this state, or brings an individual into this state to aid the prostitution exploitation and trafficking of the individual.</p> <p>"Sex trafficking" means: (1) receiving, recruiting, enticing, harboring, providing, or obtaining by any means an individual to aid in the prostitution exchange of forced, coerced, or exploited sexual contact of the individual; or (2) receiving profit or anything of value, knowing or having reason to know it is derived from an act described in clause (1).</p> <p>Sex trafficking victim. "Sex trafficking victim" means a person subjected to the practices in subdivision 7a Prostitute. "Prostitute" means an individual who engages in prostitution by being hired, offering to be hired, or agreeing to be hired by another individual to engage in sexual penetration or sexual contact</p> <p>"Prostitution" means hiring, offering to hire, or agreeing to hire another individual to engage in sexual penetration or sexual contact, or being hired, offering to be hired, or agreeing to be hired by another individual to engage in sexual penetration or sexual contact.</p> <p>"Sexual contact" means any of the following acts, if the acts can reasonably be construed as being for the purpose of satisfying the actor's sexual impulses: (i) the intentional touching by an individual's of a prostitute's intimate parts; or (ii) the intentional touching by a prostitute of another individual's intimate parts.</p> <p>"Sexual penetration" means any of the following acts, if for the purpose of satisfying sexual impulses: sexual intercourse, cunnilingus, fellatio, anal intercourse, or any intrusion however slight into the genital or anal openings of an individual's body by any part of another individual's body or any object used for the purpose of satisfying sexual impulses. Emission of semen is not necessary.</p> <p>A "public place" means a public street or sidewalk, a pedestrian skyway system as defined in section 469.125, subdivision 4, a hotel, motel, steam room, sauna, massage parlor, shopping mall and other public shopping areas, or other place of public accommodation, a place licensed to sell intoxicating liquor, wine, nonintoxicating malt beverages, or food, or a motor vehicle located on a public street, alley, or parking lot ordinarily used by or available to the public though not used as a matter of right and a driveway connecting such a parking lot with a street or highway.</p> <p>"Place of public accommodation" means a business, accommodation, refreshment, entertainment, recreation, or transportation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public.</p> <p>A "prior qualified human trafficking-related offense" means a conviction or delinquency adjudication within the ten years from the discharge from probation or parole immediately preceding the current offense for a violation of or an attempt to violate section 609.322, subdivision 1 (solicitation, inducement, and promotion of prostitution; sex trafficking in the first degree); 609.322, subdivision 1a (solicitation, inducement, and promotion of prostitution; sex trafficking in the second degree); 609.282 (labor trafficking); or 609.283 (unlawful conduct with respect to documents in furtherance of labor or sex trafficking).</p> <p>"Debt bondage" has the meaning given in section 609.281, subdivision 3.</p> <p>"Forced or coerced labor or services" has the meaning given in section 609.281, subdivision 4.</p> <p>m. "Labor trafficking victim" has the meaning given in section 609.281, subdivision 6.</p>	<p>Change the title, removing Prostitution and keeping Sex Trafficking</p> <p>Remove; not necessary under decriminalization, see definitions for Public Place</p> <p>Remove; not necessary under decriminalization</p> <p>Remove; not necessary under decriminalization, does not protect minors, see definitions for Public Place</p> <p>Amend to reflect trafficking and exploitation; remove prostitution</p> <p>Amend to reflect larger scope of trafficking</p> <p>Keep</p> <p>Remove</p> <p>Remove</p> <p>Remove "prostitute"; keep for protection of minors and victims</p> <p>Keep</p> <p>Keep</p> <p>Keep</p> <p>Keep</p> <p>Trafficking - Keep</p> <p>Trafficking - Keep</p> <p>Trafficking</p> <p>Change the title, removing prostitution and trafficking. Add exploitation, see definitions in 609.321</p>
609.322 <b>Solicitation, Inducement, and Promotion of Prostitution; Sex Trafficking and Exploitation</b>	<p>Solicitation, inducement, and promotion of prostitution; sex trafficking and exploitation in the first degree. (a) Whoever, while acting other than as a prostitute or patron, intentionally does any of the following may be sentenced to imprisonment for not more than 25 years or to payment of a fine of not more than \$50,000, or both:</p>	

	<p>(1) solicits or induces an individual under the age of 18 years to practice prostitution <b>exchange of sexual contact</b>; (2) promotes the prostitution <b>exchange of sexual contact</b> of an individual under the age of 18 years; (3) receives profit, knowing or having reason to know that it is derived from the prostitution, or the promotion of the prostitution <b>exchange of sexual contact</b>, of an individual under the age of 18 years; or (4) engages in the sex trafficking of an individual under the age of 18 years. (b) Whoever violates paragraph (a) or subdivision 1a may be sentenced to imprisonment for not more than 30 years or to payment of a fine of not more than \$60,000, or both, if one or more of the following aggravating factors are present: (1) the offender has committed a prior qualified human trafficking-related offense; (2) the offense involved a sex trafficking victim who suffered bodily harm during the commission of the offense; (3) the time period that a sex trafficking victim was held in debt bondage or forced or coerced labor or services exceeded 180 days; or (4) the offense involved more than one sex trafficking victim.</p> <p>Solicitation and inducement, and promotion of prostitution; sex trafficking <b>exploitation</b> in the second degree. Whoever, while acting other than as a prostitute or patron, intentionally does any of the following may be sentenced to imprisonment for not more than 20 years or to payment of a fine of not more than \$40,000, or both: (1) solicits or induces <b>coerces, forces, or exploits</b> an individual to practice prostitution <b>the exchange of sexual contact</b>; (2) promotes the prostitution of an individual; (3) receives profit, knowing or having reason to know that it is derived from the prostitution, or the promotion of the prostitution, of an individual; or (4) engages in the sex trafficking of an individual. (2) receives profit, knowing or having reason to know that it is derived from <b>exploitation of sexual contact of an individual</b>.</p> <p>Exceptions. Subdivisions 1, paragraph (a), clause (3), and 1a, clause (3), do not apply to: (1) a minor who is dependent on an individual acting as a prostitute sex trafficking victim and who may have benefited from or been supported by the individual's earnings derived from prostitution exchanging sexual contact for things of value; or (2) a parent over the age of 55 who is dependent on an individual acting as a prostitute a sex trafficking victim, who and may have benefited from or been supported by the individual's earnings derived from prostitution exchanging sexual contact, and who did not know that the earnings were derived from prostitution the exchange of sexual contact; or (3) the sale of goods or services to a prostitute person who engaged in the exchange of sexual contact in the ordinary course of a lawful business.</p> <p>Aggregation of cases. Acts by the defendant in violation of any one or more of the provisions in this section within any six-month period may be aggregated and the defendant charged accordingly in applying the provisions of this section; provided that when two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the offenses was committed for all of the offenses aggregated under this subdivision.</p>	<p><b>Protections for minors</b></p> <p><b>Remove prostitution; see definitions for sex trafficking/exploitation</b></p> <p><b>Not necessary under decriminalization. If necessary, amend to reflect dependents of people charged with exploitation</b></p> <p><b>Keep?</b></p>
609.324	<p><b>Patrons; Prostitutes; Housing Exploiting and Harboring Minors Individuals Engaged in Prostitution; Penalties</b></p> <p>Engaging in, hiring, or agreeing to hire minor to engage in prostitution <b>sexual contact</b>; penalties. (a) Whoever intentionally does any of the following may be sentenced to imprisonment for not more than 20 years or to payment of a fine of not more than \$40,000, or both: (1) engages in prostitution <b>sexual contact</b> with an individual under the age of 14 years; (2) hires or offers or agrees to hire an individual under the age of 14 years to engage in sexual penetration or sexual contact; or (3) hires or offers or agrees to hire an individual who the actor reasonably believes to be under the age of 14 years to engage in sexual penetration or sexual contact. (b) Whoever intentionally does any of the following may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both: (1) engages in prostitution <b>sexual contact</b> with an individual under the age of 16 years but at least 14 years; (2) hires or offers or agrees to hire an individual under the age of 16 years but at least 14 years to engage in sexual penetration or sexual contact; or (3) hires or offers or agrees to hire an individual who the actor reasonably believes to be under the age of 16 years but at least 13 years to engage in sexual penetration or sexual contact. (c) Whoever intentionally does any of the following may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both: (1) engages in prostitution <b>sexual contact</b> with an individual under the age of 18 years but at least 16 years; (2) hires or offers or agrees to hire an individual under the age of 18 years but at least 16 years to engage in sexual penetration or sexual contact; or (3) hires or offers or agrees to hire an individual who the actor reasonably believes to be under the age of 18 years but at least 16 years to engage in sexual penetration or sexual contact.</p> <p>Housing <b>and harboring</b> unrelated minor engaged in prostitution; penalties. Any person, other than one related by blood, adoption, or marriage to the minor, who permits a minor to reside, temporarily or permanently, in the person's dwelling without the consent of the minor's parents or guardian, knowing or having reason to know that the minor is engaging in prostitution <b>a victim of sex trafficking</b> may be sentenced to imprisonment for not more than 364 days or to payment of a fine of not more than \$3,000, or both; except that, this subdivision does not apply to residential placements made, sanctioned, or supervised by a public or private social service agency.</p> <p><b>Patrons of prostitution; penalty. (a) Whoever, while acting as a patron, intentionally does any of the following is guilty of a gross misdemeanor: (1) engages in prostitution with an individual 18 years of age or older; or (2) hires, offers to hire, or agrees to hire an individual 18 years of age or older to engage in sexual penetration or sexual contact. Official Publication of the State of Minnesota Revisor of Statutes 1-MINNESOTA STATUTES 2023 609.324 Except as otherwise provided in subdivision 4, a person who is convicted of violating this subdivision must, at a minimum, be sentenced to pay a fine of at least \$1,500. (b) Whoever violates the provisions of this subdivision within ten years of a previous conviction for violating this section or section 609.322 is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.</b></p> <p>Community service in lieu of minimum fine. The court may order a person convicted of violating subdivision 2 to perform community work service in lieu of all or a portion of the minimum fine required under those subdivisions if the court makes specific, written findings that the convicted person is indigent or that payment of the fine would create undue hardship for the convicted person or that person's immediate family. Community work service ordered under this subdivision is in addition to any mandatory community work service ordered under subdivision 3.</p> <p>Use of motor vehicle to patronize prostitutes <b>an individual under age 18</b>; driving record notation. (a) When a court sentences a person convicted of violating this section while acting as a patron, the court shall determine whether the person used a motor vehicle during the commission of the offense and whether the person has previously been convicted of violating this section or section 609.322. If the court finds that the person used a motor vehicle during the commission of the offense, it shall forward its finding along with an indication of whether the person has previously been convicted of a prostitution offense to the commissioner of public safety who shall record the finding on the person's driving record. Except as provided in paragraph (b), the finding is classified as private data on individuals, as defined in section 13.02, subdivision 12, but is accessible for law enforcement purposes. (b) If the person has previously been convicted of a violation of this section or section 609.322, the finding is public data</p>	<p><b>Change title: Remove prostitutes. Keep laws against sex with minors</b></p> <p><b>May harm support systems; but reasonable protection for minors</b></p> <p><b>Remove</b></p> <p><b>Remove; recommend increase of penalties for sex trafficking and exploitation</b></p> <p><b>Keep</b></p>

	<del>Prostitution in public place; penalty for prostitutes. Whoever, while acting as a prostitute, intentionally does any of the following while in a public place is guilty of a gross misdemeanor: (1) engages in prostitution with an individual 18 years of age or older; or (2) is hired, offers to be hired, or agrees to be hired by an individual 18 years of age or older to engage in sexual penetration or sexual contact.</del>	REMOVE
	<del>General prostitution crimes; penalties for prostitutes. (a) Whoever, while acting as a prostitute, intentionally does any of the following is guilty of a misdemeanor: (1) engages in prostitution with an individual 18 years of age or older; or (2) is hired, offers to be hired, or agrees to be hired by an individual 18 years of age or older to engage in sexual penetration or sexual contact. (b) Whoever violates the provisions of this subdivision within two years of a previous prostitution conviction for violating this section or section 609.322 is guilty of a gross misdemeanor.</del>	REMOVE
611A.81 Cause of Action for Coercion for use in Prostitution Sex Trafficking and Exploitation	<p>Cause of action created. (a) An individual has a cause of action against a person who: (1) coerced the individual into prostitution <del>the exchange of sexual contact</del>; (2) coerced the individual to remain in prostitution <del>the exchange of sexual contact</del>; (3) used coercion to collect or receive any of the individual's earnings derived from prostitution <del>the exchange of sexual contact</del>; or (4) hired, offered to hire, or agreed to hire the individual to engage in prostitution <del>the exchange of sexual contact</del>, knowing or having reason to believe that the individual was <del>forced or coerced into or forced or coerced to remain in prostitution the exchange of sexual contact</del> by another person. For purposes of clauses (1) and (2), money payment by a patron, as defined in section 609.321, subdivision 4, is not coercion under section 611A.80, subdivision 2, clause (5) or (11), or exploiting needs for food or shelter under section 611A.80, subdivision 2, clause (23). Clause (3) does not apply to minor children who are dependent on the individual and who may have benefited from or been supported by the individual's earnings derived from prostitution. (b) An individual has a cause of action against a person who did the following while the individual was a minor: (1) solicited or induced the individual to practice prostitution; (2) promoted the prostitution of the individual; (3) collected or received the individual's earnings derived from prostitution; or (4) hired, offered to hire, or agreed to hire the individual to engage in prostitution. Mistake as to age is not a defense to an action under this paragraph.</p> <p>Damages. A person against whom a cause of action may be maintained under subdivision 1 is liable for the following damages that resulted from the plaintiff's being used in prostitution <del>forced, coerced, and exploited</del> or to which the plaintiff's use in prostitution <del>sexual exploitation</del> proximately contributed: (1) economic loss, including damage, destruction, or loss of use of personal property; loss of past or future income or earning capacity; and income, profits, or money owed to the plaintiff from contracts with the person; and (2) damages for death as may be allowed under section 573.02, personal injury, disease, and mental and emotional harm, including medical, rehabilitation, and burial expenses; and pain and suffering, including physical impairment.</p>	<p>Amend to Trafficking and Exploitation; Questions about the exploiting needs for food and shelter part - what does this mean?</p> <p>Amend to Trafficking and Exploitation</p>
611A.82 Acts Not Defenses	<p>ACTS NOT DEFENSES. None of the following shall alone or jointly be a sufficient defense to an action under section 611A.81: (1) the plaintiff consented to engage in acts of prostitution; (2) the plaintiff was paid or otherwise compensated for acts of prostitution; (3) the plaintiff engaged in acts of prostitution prior to any involvement with the defendant; (4) the plaintiff apparently initiated involvement with the defendant; (5) the plaintiff made no attempt to escape, flee, or otherwise terminate contact with the defendant; (6) the defendant had not engaged in prior acts of prostitution with the plaintiff; (7) as a condition of employment, the defendant required the plaintiff to agree not to engage in prostitution; or (8) the defendant's place of business was posted with signs prohibiting prostitution or prostitution-related activities.</p>	I dont even understand this but it seems very sketchy
617.242 Adult Entertainment Establishments	<p>Restrictions on ownership or management by persons convicted of certain crimes. A person who has been convicted of one of the following offenses may not operate or manage an adult business establishment for three years after discharge of the sentence for the offense, or a similar offense in another state or jurisdiction: (1) prostitution or sex <del>exploitation and</del> trafficking under section 609.321; 609.322; 609.324; or 609.3242; Official Publication of the State of Minnesota Revisor of Statutes 1 MINNESOTA STATUTES 2023 617.242 (2) criminal sexual conduct under sections 609.342 to 609.3451; (3) solicitation of children under section 609.352; (4) indecent exposure under section 617.23; (5) distribution or exhibition of obscene materials and performances under section 617.241; (6) use of a minor in a sexual performance under section 617.246; or (7) possession of pornographic work involving minors under section 617.247.</p>	Amend; remove prostitution
617.81 Nuisance; Acts Constituting; Injunction; Notice	<p>Acts constituting a nuisance. (a) For purposes of sections 617.80 to 617.87, a public nuisance exists (1) upon proof of one or more separate behavioral incidents described in item (i), (v), (viii), or (ix), or (2) upon proof of two or more separate behavioral incidents described in item (ii), (iii), (iv), (vi), (vii), or (x), committed within the previous 12 months within the building: (i) <del>prostitution or prostitution-related activity committed within the building</del>;</p>	Sex work is not a nuisance