

HOUSE CS FOR CS FOR SENATE BILL NO. 12(STA) am H(efd add H)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Amended: 5/3/06

Offered: 4/12/06

Sponsor(s): SENATORS DYSON, Davis, French, Bunde, Seekins, Wagoner, Elton, Kookesh, Huggins, Gary Stevens, Olson, Stedman, Ben Stevens, Cowdery, Therriault, Ellis, Wilken

REPRESENTATIVES Lynn, Ramras, McGuire, Gara, Dahlstrom, Gardner, Olson, Kerttula, Gruenberg

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to human trafficking; relating to sex tourism; relating to procurement**
2 **from a person conducting business in or having headquarters in countries that support**
3 **or ignore slavery and trafficking in persons; and providing for an effective date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 *** Section 1.** AS 11.41 is amended by adding new sections to read:

6 **Sec. 11.41.310. Human trafficking in the first degree.** (a) A person commits
7 the crime of human trafficking in the first degree if the person compels or induces
8 another person to come to this state to engage in sexual conduct, adult entertainment,
9 or labor in the state by force or threat of force against any person, or by deception.

10 (b) In this section,

11 (1) "adult entertainment" means the conduct described in
12 AS 23.10.350(f)(1) - (3);

13 (2) "deception" has the meaning given in AS 11.46.180;

14 (3) "sexual conduct" has the meaning given in AS 11.66.150.

1 (c) Human trafficking in the first degree is a class A felony.

2 **Sec. 11.41.315. Human trafficking in the second degree.** (a) A person
3 commits the crime of human trafficking in the second degree if the person obtains a
4 benefit from the commission of human trafficking under AS 11.41.310, with reckless
5 disregard that the benefit is a result of the trafficking.

6 (b) Human trafficking in the second degree is a class B felony.

7 * **Sec. 2.** AS 11.66.120(a) is amended to read:

8 (a) A person commits the crime of promoting prostitution in the second degree
9 if the person

10 (1) manages, supervises, controls, or owns, either alone or in
11 association with others, a prostitution enterprise other than a place of prostitution;
12 [OR]

13 (2) procures or solicits a patron for a prostitute; or

14 (3) offers, sells, advertises, promotes, or facilitates travel that
15 includes commercial sexual conduct as enticement for the travel; in this
16 paragraph, "commercial sexual conduct" means sexual conduct for which
17 anything of value is given or received by any person.

18 * **Sec. 3.** AS 36.30.020 is amended to read:

19 **Sec. 36.30.020. Legislature.** The legislative council shall adopt and publish
20 procedures to govern the procurement of supplies, services, professional services, and
21 construction by the legislative branch. The procedures must be based on the
22 competitive principles consistent with this chapter and must be adapted to the special
23 needs of the legislative branch as determined by the legislative council. The
24 procedures must contain provisions for prohibiting procurement from a person
25 that has headquarters in a country listed in Tier 3 of the most recent Trafficking
26 in Persons Report published by the United States Secretary of State under 22
27 U.S.C. 7107(b)(1)(C). The procedures may contain provisions for restricting
28 procurement from a person that conducts business in but does not have
29 headquarters in a country listed in Tier 3 of the most recent Trafficking in
30 Persons Report published by the United States Secretary of State under 22 U.S.C.
31 7107(b)(1)(C). The procedures must be consistent with the provisions of

1 AS 36.30.080(c) - (e) and 36.30.085. Notwithstanding the other provisions of this
 2 section, the legislative agencies subject to the legislative council's regulations shall
 3 comply with AS 36.30.170(b).

4 * **Sec. 4.** AS 36.30.030 is amended to read:

5 **Sec. 36.30.030. Court system.** The administrative director of courts shall
 6 adopt and publish procedures to govern the procurement of supplies, services,
 7 professional services, and construction by the judicial branch. The procedures must be
 8 based on the competitive principles consistent with this chapter and must be adapted to
 9 the special needs of the judicial branch as determined by the administrative director of
 10 courts. **The procedures must contain provisions for prohibiting procurement**
 11 **from a person that has headquarters in a country listed in Tier 3 of the most**
 12 **recent Trafficking in Persons Report published by the United States Secretary of**
 13 **State under 22 U.S.C. 7107(b)(1)(C). The procedures may contain provisions for**
 14 **restricting procurement from a person that conducts business in but does not**
 15 **have headquarters in a country listed in Tier 3 of the most recent Trafficking in**
 16 **Persons Report published by the United States Secretary of State under 22 U.S.C.**
 17 **7107(b)(1)(C).** The procedures must be consistent with the provisions of
 18 AS 36.30.080(c) - (e) and 36.30.085. Notwithstanding the other provisions of this
 19 section, the judicial branch shall comply with AS 36.30.170(b).

20 * **Sec. 5.** AS 36.30.040(a) is amended to read:

21 (a) The commissioner shall adopt regulations governing the procurement,
 22 management, and control of supplies, services, professional services, and construction
 23 by agencies. **The regulations must contain provisions for prohibiting procurement**
 24 **from a person that has headquarters in a country listed in Tier 3 of the most**
 25 **recent Trafficking in Persons Report published by the United States Secretary of**
 26 **State under 22 U.S.C. 7107(b)(1)(C). The regulations may contain provisions for**
 27 **restricting procurement from a person that conducts business in but does not**
 28 **have headquarters in a country listed in Tier 3 of the most recent Trafficking in**
 29 **Persons Report published by the United States Secretary of State under 22 U.S.C.**
 30 **7107(b)(1)(C).** The commissioner may audit and monitor the implementation of the
 31 regulations and the requirements of this chapter with respect to using agencies.

1 * **Sec. 6.** This Act takes effect July 1, 2006.