Hearing Date: Thursday February 23, 2017  
Committee On: Judiciary  
Introducer: Pansing Brooks  
One Liner: Change provisions and penalties relating to pandering, human trafficking, labor trafficking, and sex trafficking and prohibit solicitation of a trafficking victim

Roll Call Vote - Final Committee Action: Advanced to General File

Vote Results:
Aye: 7 Senators Baker, Ebke, Halloran, Hansen, Krist, Morfeld, Pansing Brooks
Nay: 
Absent: 
Present Not Voting: 1 Senator Chambers

Verbal Testimony:

Proponents:  
- Senator Patty Pansing Brooks  
- Rachel Pointer  
- Meghan Malik  
- Anna Brewer  
- Crysta Price  
- David Lemoine  
- Shireen Rajaram  
- Erin Aliano  
- Anne Boatright  
- Timothy Dunning  
- Sakura Yodogawa-Campbell  
- Nate Grasz  
- Stephanie Huddle  
- Rosalee Burke  
- Sherry Miller  
- Alicia Webber  
- Liene Topko  
- Jasel Cantu  
- Tom Venzor  
- Glen Parks

Representing:  
- Introducer  
- Free the People Movement  
- Women's Fund of Omaha  
- Human Trafficking Initiative  
- self  
- Nebraska Alliance of Child Advocacy Centers  
- Methodist Health System  
- Douglas County Sheriff's Office  
- Sarpy County Victim Witness  
- Nebraska Family Alliance  
- Nebraska Coalition to End Sexual & Domestic Violence  
- Coalition on Human Trafficking  
- League of Women Voters  
- The Salvation Army  
- self  
- Latino American Commission  
- Nebraska Catholic Conference  
- Attorney General's Office & Human Trafficking Task Force

Opponents:  
- Spike Eickholt

Representing:  
- Nebraska Criminal Defense Attorneys Association

Neutral:

Representing:

Summary of purpose and/or changes:
LB 289 would alter provisions of the Nebraska Criminal Code regarding pandering and sex trafficking.
Section 1-Pandering is increased from a Class III felony for first offense and Class II felony for subsequent offenses to a Class II Felony generally.
Section 2-Changes definitions to include "services" and "activity" to the definition of Labor beyond simple "work".
The definition of "labor trafficking of a minor" is cleaned up by removing the first reference of "knowingly" as the knowledge or intent requirement is included in the latter portion of the definition.
Definitions for "Obtain" and "Services" are stricken.
Production of pornography as sex trafficking is further expanded to include production of such pornography against the performer's will.
Sex trafficking of a minor is changed to a strict liability crime by removing the intent requirement of "knowingly" engaging the minor in sexually explicit activity.
Solicitation of a minor into engaging in explicit sexual activity is included in the crime of sex trafficking of a minor.
Section 3-The penalties for labor or sex trafficking of a minor are increased from a Class II felony to a Class IC felony, unless the actor uses force or threat of force or if the victim is under age sixteen, then the penalty is a Class IB felony (increased from a Class IIA felony).
The penalties for labor or sex trafficking of a non-minor are increased from a Class III felony to a Class II felony. Unless the actor inflicts violence, restrains, or threatens violence or restraint, then the penalty is a Class ID felony (increased from a Class IIA felony).
The penalty for knowing or reckless solicitation of a trafficking victim is established as a Class II felony.
The penalty for anyone benefitting or participating in the trafficking, whether knowingly OR recklessly is increased from a Class IIIA felony, to a Class IIA felony. This provision does not apply to the trafficking victim.
Sex trafficking crimes shall be treated as separate offenses and any sentences resulting from the offenses shall be served consecutively.
Consent of the minor engaged in this activity or ignorance of the minor's age is not a defense.

Laura Ebke, Chairperson