



House Judiciary Reported Substitute for HB42

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A BILL
TO BE ENTITLED
AN ACT

Relating to crimes and offenses; to amend Section 13A-6-152, Code of Alabama 1975, to further provide for the punishment of certain human trafficking offenses under certain conditions; and in connection therewith would have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Section 111.05 of the Constitution of Alabama of 2022.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known and may be cited as the Sound of Freedom Act.

Section 2. Section 13A-6-152, Code of Alabama 1975, is amended to read as follows:

"§13A-6-152

(a) A person commits the crime of human trafficking in the first degree if:

(1) He or she knowingly subjects another person to labor servitude or sexual servitude.

(2) He or she knowingly obtains, recruits, entices, solicits, induces, threatens, isolates, harbors, holds,



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29 restrains, transports, provides, or maintains any minor for
30 the purpose of causing a minor to engage in sexual servitude.

31 (3) He or she knowingly gives, or attempts to give,
32 monetary consideration or any other thing of value to engage
33 in any sexual conduct with a minor or an individual he or she
34 believes to be a minor.

35 (b) For purposes of this section, it is not required
36 that the defendant have knowledge of a minor victim's age, nor
37 is reasonable mistake of age a defense to liability under this
38 section.

39 (c) A corporation, or any other legal entity other than
40 an individual, may be prosecuted for human trafficking in the
41 first degree for an act or omission only if an agent of the
42 corporation or entity performs the conduct which is an element
43 of the crime while acting within the scope of his or her
44 office or employment and on behalf of the corporation or
45 entity, and the commission of the crime was either authorized,
46 requested, commanded, performed, or within the scope of the
47 person's employment on behalf of the corporation or entity or
48 constituted a pattern of conduct that an agent of the
49 corporation or entity knew or should have known was occurring.

50 (d) Any person who obstructs, or attempts to obstruct,
51 or in any way interferes with or prevents the enforcement of
52 this section shall be guilty of a Class A felony.

53 (e) Human trafficking in the first degree is a Class A
54 felony. In any prosecution under this section where there is a
55 minor trafficking victim, the court shall sentence the
56 defendant to a minimum of life imprisonment. However, if the



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57 defendant is 18 years of age or younger, the court shall
58 sentence the defendant as a Class A felon."

59 Section 3. Although this bill would have as its purpose
60 or effect the requirement of a new or increased expenditure of
61 local funds, the bill is excluded from further requirements
62 and application under Section 111.05 of the Constitution of
63 Alabama of 2022, because the bill defines a new crime or
64 amends the definition of an existing crime.

65 Section 4. This act shall become effective October 1,
66 2024.