

ASSEMBLY BILL NO. 4—ASSEMBLYMAN HAMBRICK

PREFILED DECEMBER 13, 2010

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to the crime of holding another person in involuntary servitude. (BDR 15-361)

FISCAL NOTE: Effect on Local Government: No. Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted-material~~ is material to be omitted.

AN ACT relating to crimes; revising the provisions relating to the crime of holding another person in involuntary servitude; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law provides that a person who, by certain actions, knowingly
2 subjects, or attempts to subject, another person to forced labor or services is guilty
3 of holding that person in involuntary servitude. (NRS 200.463) This bill provides
4 that in addition to knowingly subjecting, or attempting to subject, another person to
5 forced labor or services, the crime of holding a person in involuntary servitude also
6 includes knowingly subjecting, or attempting to subject, another person to forced
7 “commercial sex acts.” The definition of “commercial sex act” in the bill is
8 patterned after the definition of the term contained in federal law, 18 U.S.C. §
9 1591(e)(3). This bill also adds fraud and artifice as actions by which a person may
10 subject another person to forced labor, services or commercial sex acts.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. NRS 200.463 is hereby amended to read as follows:
2 200.463 1. A person who knowingly subjects, or attempts to
3 subject, another person to forced labor, ~~or~~ services *or commercial
4 sex acts, including, without limitation, prostitution as defined in
5 NRS 201.295*, by:

6 (a) Causing or threatening to cause physical harm to any person;



- 1 (b) Physically restraining or threatening to physically restrain  
2 any person;
- 3 (c) Abusing or threatening to abuse the law or legal process;
- 4 (d) Knowingly destroying, concealing, removing, confiscating  
5 or possessing any actual or purported passport or other immigration  
6 document, or any other actual or purported government  
7 identification document, of the person;
- 8 (e) Extortion; ~~or~~
- 9 (f) Causing or threatening to cause financial harm to any person  
10 ~~or~~; *or*
- 11 *(g) Fraud or artifice,*
- 12 *↪ is guilty of holding a person in involuntary servitude.*
- 13 2. A person who is found guilty of holding a person in  
14 involuntary servitude is guilty of a category B felony and shall be  
15 punished:
- 16 (a) Where the victim suffers substantial bodily harm while held  
17 in involuntary servitude or in attempted escape or escape therefrom,  
18 by imprisonment in the state prison for a minimum term of not less  
19 than 7 years and a maximum term of not more than 20 years, and  
20 may be further punished by a fine of not more than \$50,000.
- 21 (b) Where the victim suffers no substantial bodily harm as a  
22 result of being held in involuntary servitude, by imprisonment in the  
23 state prison for a minimum term of not less than 5 years and a  
24 maximum term of not more than 20 years, and may be further  
25 punished by a fine of not more than \$50,000.
- 26 *3. As used in this section, "commercial sex act" means any*  
27 *sex act, on account of which anything of value is given to or*  
28 *received by any person.*

