

LEGISLATURE OF NEBRASKA

ONE HUNDRED THIRD LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 1

Final Reading

Introduced by Executive Board: Wightman, 36, Chairperson.

Read first time January 10, 2013

Committee: General File

A BILL

1 FOR AN ACT relating to human trafficking; to amend section 28-830,
2 Reissue Revised Statutes of Nebraska; to repeal reporting
3 requirements that are no longer needed; to harmonize
4 provisions; to repeal the original section; and to
5 outright repeal section 28-832, Reissue Revised Statutes
6 of Nebraska.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 28-830, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 28-830 For purposes of sections 28-830 ~~to 28-832,~~ and
4 28-831, the following definitions apply:

5 (1) Actor means a person who solicits, procures, or
6 supervises the services or labor of another person;

7 (2) Commercial sexual activity means any sex act on
8 account of which anything of value is given, promised to, or received
9 by any person;

10 (3) Financial harm means theft by extortion as described
11 by section 28-513;

12 (4) Forced labor or services means labor or services that
13 are performed or provided by another person and are obtained or
14 maintained through:

15 (a) Inflicting or threatening to inflict serious personal
16 injury as defined by section 28-318;

17 (b) Physically restraining or threatening to physically
18 restrain another person;

19 (c) Knowingly destroying, concealing, removing,
20 confiscating, or possessing any actual or purported passport or other
21 immigration document or any other actual or purported government
22 identification document of another person; or

23 (d) Causing or threatening to cause financial harm to
24 another person;

25 (5) Labor means work of economic or financial value;

1 (6) Maintain means, in relation to labor or services, to
2 secure continued performance thereof, regardless of any initial
3 agreement by the victim to perform such type of service;

4 (7) Minor means a person younger than eighteen years of
5 age;

6 (8) Obtain means, in relation to labor or services, to
7 secure performance thereof;

8 (9) Services means an ongoing relationship between a
9 person and the actor in which the person performs activities under
10 the supervision of or for the benefit of the actor. Commercial sexual
11 activity and sexually-explicit performances are forms of services
12 under this section. Nothing in this subdivision shall be construed to
13 legalize prostitution;

14 (10) Sexually-explicit performance means a live or public
15 play, dance, show, or other exhibition intended to arouse or gratify
16 sexual desire or to appeal to prurient interests; and

17 (11) Trafficking victim means a person subjected to any
18 act or acts prohibited by section 28-831.

19 Sec. 2. Original section 28-830, Reissue Revised Statutes
20 of Nebraska, is repealed.

21 Sec. 3. The following section is outright repealed:
22 Section 28-832, Reissue Revised Statutes of Nebraska.