

A bill for an act

relating to civil actions; modifying civil liability for labor and sex trafficking crimes; proposing coding for new law in Minnesota Statutes, chapter 299A; repealing Minnesota Statutes 2008, section 609.284, subdivision 2.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[299A.794] HUMAN TRAFFICKING; CIVIL LIABILITY.**

(a) A trafficking victim may bring an action against a person who violates section 609.282, 609.283, or 609.322. A victim who prevails in an action brought under this section shall be awarded the greater of actual damages, including damages for emotional distress, or:

(1) \$5,000 if the victim was trafficked for a period of less than one month;

(2) \$10,000 if the victim was trafficked for a period of one month or more, but less than three months;

(3) \$15,000 if the victim was trafficked for a period of three months or more, but less than six months;

(4) \$20,000 if the victim was trafficked for a period of six months or more, but less than one year; or

(5) \$20,000 per year for each year the victim was trafficked, if the victim was trafficked for a period of one year or more.

A victim prevailing in an action brought under this section is also entitled to an award of punitive damages, costs, disbursements, litigation costs, and reasonable attorney fees.

(b) No criminal action needs to be filed or pending resulting from the same occurrence for an award to be made under this section.

2.1 (c) An action for damages under paragraph (a) must be commenced not later than six
2.2 years after the cause of action arises or not later than one year from the date the trafficking
2.3 victim bringing the action is free from human traffickers.

2.4 (d) For the purposes of this section, "person" means an individual, partnership,
2.5 organization, company, association, or corporation.

2.6 **EFFECTIVE DATE.** This section is effective August 1, 2009, and applies to causes
2.7 of action arising on or after that date.

2.8 Sec. 2. **REPEALER.**

2.9 Minnesota Statutes 2008, section 609.284, subdivision 2, is repealed.

2.10 **EFFECTIVE DATE.** This section is effective August 1, 2009.

APPENDIX
Repealed Minnesota Statutes: H0731-1

609.284 LABOR OR SEX TRAFFICKING CRIMES; DEFENSES; CIVIL LIABILITY; CORPORATE LIABILITY.

Subd. 2. **Civil liability.** A labor trafficking victim may bring a cause of action against a person who violates section 609.282 or 609.283. The court may award damages, including punitive damages, reasonable attorney fees, and other litigation costs reasonably incurred by the victim. This remedy is in addition to potential criminal liability.