

609.325 DEFENSES.

Subdivision 1. **No defense; solicited; not engaged.** It shall be no defense to a prosecution under section 609.322 that an individual solicited or induced to practice prostitution or whose prostitution was promoted, did not actually engage in prostitution.

Subd. 2. **Consent no defense.** Consent or mistake as to age shall be no defense to prosecutions under section 609.322 or 609.324.

Subd. 3. **No defense; prior prostitution.** It shall be no defense to actions under section 609.322 that the individual solicited or induced to practice prostitution, or whose prostitution was promoted, had engaged in prostitution prior to that solicitation, inducement, or promotion.

Subd. 3a. **No defense; undercover operative.** The fact that an undercover operative or law enforcement officer was involved in the detection or investigation of an offense shall not be a defense to a prosecution under section 609.324.

Subd. 4. **Affirmative defense.** It is an affirmative defense to a charge under section 609.324, subdivision 6 or 7, if the defendant proves by a preponderance of the evidence that the defendant is a labor trafficking victim or a sex trafficking victim and that the defendant committed the acts underlying the charge as a result of being a labor trafficking or sex trafficking victim.

History: 1979 c 255 s 5; 1994 c 636 art 2 s 29; 1998 c 367 art 2 s 32; 2005 c 136 art 17 s 25; 2015 c 65 art 6 s 12,13; 2023 c 27 s 13