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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 829

02/12/2015 Authored by Mullery

The bill was read for the first time and referred to the Committee on Civil Law and Data Practices

1.1 A bill for an act  
1.2 relating to civil actions; modifying civil liability for labor and sex trafficking  
1.3 crimes; proposing coding for new law in Minnesota Statutes, chapter 604;  
1.4 repealing Minnesota Statutes 2014, section 609.284, subdivision 2.

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

1.6 Section 1. **[604.191] HUMAN TRAFFICKING; PENALTIES AND REMEDIES.**

1.7 Subdivision 1. **Damages.** (a) A trafficking victim may bring an action against  
1.8 a person who violates section 609.282, 609.283, or 609.322. A victim who prevails in  
1.9 an action brought under this section shall be awarded the greater of actual damages,  
1.10 including damages for emotional distress, or:

1.11 (1) \$20,000 per month that the victim was subjected to sex trafficking; or

1.12 (2) \$15,000 per month that the victim was subjected to labor trafficking.

1.13 For purposes of this paragraph, the per month requirement is satisfied if a violation  
1.14 of section 609.282, 609.283, or 609.322 occurs at least one day in that calendar month but  
1.15 no more than the number of days in that calendar month.

1.16 (b) A victim prevailing in an action brought under this section is also entitled to an  
1.17 award of punitive damages, costs, disbursements, litigation costs, reasonable attorney fees,  
1.18 and injunctive relief pursuant to subdivision 2.

1.19 Subd. 2. **Injunctive relief.** An award of injunctive relief may be granted on any  
1.20 terms required in the interest of justice, including, but not limited to, a prohibition against  
1.21 further trafficking of a specific individual or a class of individuals. A violation of this  
1.22 section is punishable by imprisonment for up to 50 years.

1.23 Subd. 3. **Criminal action not necessary.** No criminal action needs to be filed or  
1.24 pending resulting from the same occurrence for an award to be made under this section.

2.1 Subd. 4. **Limitation on actions.** An action for damages under subdivision 1 must  
2.2 be commenced not later than six years after the cause of action arises or not later than  
2.3 30 months from the date the trafficking victim bringing the action is free from human  
2.4 traffickers, whichever is later.

2.5 Subd. 5. **Definition; person.** For the purposes of this section, "person" means an  
2.6 individual, partnership, organization, company, association, or corporation.

2.7 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to causes  
2.8 of action arising on or after that date.

2.9 Sec. 2. **REPEALER.**

2.10 Minnesota Statutes 2014, section 609.284, subdivision 2, is repealed effective  
2.11 August 1, 2015.

**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.