

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1320

By: Humphrey

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5  
6 AS INTRODUCED

7 An Act relating to crimes and punishments; creating  
8 the Child Trafficking Protection Act of 2025;  
9 amending 21 O.S. 2021, Section 748, as amended by  
10 Section 1, Chapter 20, O.S.L. 2022 (21 O.S. Supp.  
11 2024, Section 748), which relates to human  
12 trafficking; increasing penalties for certain  
13 unlawful act; providing for noncodification; and  
14 providing an effective date.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. NEW LAW A new section of law not to be  
17 codified in the Oklahoma Statutes reads as follows:

18 This act shall be known and may be cited as the "Child  
19 Trafficking Protection Act of 2025".

20 SECTION 2. AMENDATORY 21 O.S. 2021, Section 748, as  
21 amended by Section 1, Chapter 20, O.S.L. 2022 (21 O.S. Supp. 2024,  
22 Section 748), is amended to read as follows:

23 Section 748. A. As used in Sections 748 and 748.2 of this  
24 title:

1 1. "Coercion" means compelling, forcing or intimidating a  
2 person to act by:

3 a. threats of harm or physical restraint against any  
4 person,

5 b. any act, scheme, plan, or pattern intended to cause a  
6 person to believe that performing, or failing to  
7 perform, an act would result in serious physical,  
8 financial, or emotional harm or distress to or  
9 physical restraint against any person,

10 c. the abuse or threatened abuse of the law or legal  
11 process,

12 d. knowingly destroying, concealing, removing,  
13 confiscating or possessing any actual or purported  
14 passport, labor or immigration document, or other  
15 government identification document, including but not  
16 limited to a driver license or birth certificate, of  
17 another person,

18 e. facilitating or controlling a person's access to any  
19 addictive or controlled substance other than for legal  
20 medical purposes,

21 f. blackmail,

22 g. demanding or claiming money, goods, or any other thing  
23 of value from or on behalf of a prostituted person  
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1 where such demand or claim arises from or is directly  
2 related to the act of prostitution,

3 h. determining, dictating or setting the times at which  
4 another person will be available to engage in an act  
5 of prostitution with a third party,

6 i. determining, dictating or setting the places at which  
7 another person will be available for solicitation of,  
8 or to engage in, an act of prostitution with a third  
9 party, or

10 j. determining, dictating or setting the places at which  
11 another person will reside for purposes of making such  
12 person available to engage in an act of prostitution  
13 with a third party;

14 2. "Commercial sex" means any form of commercial sexual  
15 activity such as sexually explicit performances, prostitution,  
16 participation in the production of pornography, performance in a  
17 strip club, or exotic dancing or display;

18 3. "Debt bondage" means the status or condition of a debtor  
19 arising from a pledge by the debtor of his or her personal services  
20 or of those of a person under his or her control as a security for  
21 debt if the value of those services as reasonably assessed is not  
22 applied toward the liquidation of the debt or the length and nature  
23 of those services are not respectively limited and defined;

1 4. "Human trafficking" means modern-day slavery that includes,  
2 but is not limited to, extreme exploitation and the denial of  
3 freedom or liberty of an individual for purposes of deriving benefit  
4 from that individual's commercial sex act or labor;

5 5. "Human trafficking for labor" means:

6 a. recruiting, enticing, harboring, maintaining,  
7 transporting, providing or obtaining, by any means,  
8 another person through deception, force, fraud, threat  
9 or coercion or for purposes of engaging the person in  
10 labor, or

11 b. benefiting, financially or by receiving anything of  
12 value, from participation in a venture that has  
13 engaged in an act of trafficking for labor;

14 6. "Human trafficking for commercial sex" means:

15 a. recruiting, enticing, harboring, maintaining,  
16 transporting, providing or obtaining, by any means,  
17 another person through deception, force, fraud, threat  
18 or coercion for purposes of engaging the person in a  
19 commercial sex act,

20 b. recruiting, enticing, harboring, maintaining,  
21 transporting, providing, purchasing or obtaining, by  
22 any means, a minor for purposes of engaging the minor  
23 in a commercial sex act, or  
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1 c. benefiting, financially or by receiving anything of  
2 value, from participating in a venture that has  
3 engaged in an act of trafficking for commercial sex;

4 7. "Legal process" means the criminal law, the civil law, or  
5 the regulatory system of the federal government, any state,  
6 territory, district, commonwealth, or trust territory therein, and  
7 any foreign government or subdivision thereof and includes legal  
8 civil actions, criminal actions, and regulatory petitions or  
9 applications;

10 8. "Minor" means an individual under eighteen (18) years of  
11 age; and

12 9. "Victim" means a person against whom a violation of any  
13 provision of this section has been committed.

14 B. It shall be unlawful to knowingly engage in human  
15 trafficking.

16 C. 1. Any person violating the provisions of this section  
17 shall, upon conviction, be guilty of a felony punishable by  
18 imprisonment in the custody of the Department of Corrections for a  
19 term of not less than five (5) years or for life, or by a fine of  
20 not more than One Hundred Thousand Dollars (\$100,000.00), or by both  
21 such fine and imprisonment.

22 2. Any person violating the provisions of this section where  
23 the victim of the offense is under eighteen (18) years of age at the  
24 time of the offense shall, upon conviction, be guilty of a felony

1 punishable by death, by imprisonment in the custody of the  
2 Department of Corrections for a term of ~~not less than fifteen (15)~~  
3 ~~years or for~~ life without parole, or for life, or by a fine of not  
4 more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or by  
5 both such fine and imprisonment.

6 3. The court shall also order the defendant to pay restitution  
7 to the victim as provided in Section 991f of Title 22 of the  
8 Oklahoma Statutes.

9 4. If the person is convicted of human trafficking, the person  
10 shall serve eighty-five percent (85%) of the sentence before being  
11 eligible for parole consideration or any earned credits.

12 5. The terms of imprisonment specified in this subsection shall  
13 not be subject to statutory provisions for suspension, deferral or  
14 probation, or state correctional institution earned credits accruing  
15 from and after November 1, 1989, except for the achievement earned  
16 credits authorized by subsection H of Section 138 of Title 57 of the  
17 Oklahoma Statutes. To qualify for such achievement earned credits,  
18 such inmates must also be in compliance with the standards for Class  
19 level 2 behavior, as defined in subsection D of Section 138 of Title  
20 57 of the Oklahoma Statutes.

21 D. It is an affirmative defense to prosecution for a criminal,  
22 youthful offender, or delinquent offense that, during the time of  
23 the alleged commission of the offense, the defendant or alleged  
24 youthful offender or delinquent was a victim of human trafficking.

1 E. The consent of a victim to the activity prohibited by this  
2 section shall not constitute a defense.

3 F. Lack of knowledge of the age of the victim shall not  
4 constitute a defense to the activity prohibited by this section with  
5 respect to human trafficking of a minor.

6 SECTION 3. This act shall become effective November 1, 2025.

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