

# Human Trafficking-Related Legislation (2020-2024)

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January 10, 2025 | 2025-R-0020

## Issue

Summarize the human trafficking-related legislation that passed over the past five sessions (2020 through 2024).

## Summary

Over the past five legislative sessions (2020-2024), the Connecticut legislature enacted seven public acts related to human trafficking prevention and prosecution and victim protection. These acts are summarized in Table 1 below, by year.

These acts, among other things, (1) require the Juvenile Justice Policy Oversight Committee (JJPOC) to establish a gender responsiveness subcommittee to develop a framework for human trafficking data analysis and reporting; (2) expand the Trafficking in Persons Council to include certain state officials and additional members of the public; (3) modify the elements of certain human trafficking-related crimes; (4) reduce the required frequency for certain professionals to complete the Department of Children and Families (DCF) refresher course on human trafficking awareness and extended the requirement to emergency medical services (EMS) personnel; (5) require a lifetime commercial driver's license (CDL) disqualification for anyone who commits certain human trafficking felonies; and (6) provide additional protections for victims.

The additional protections for human trafficking victims that these laws provide include:

1. prohibiting certain lodging operators (such as hotels and motels) from offering discounts or financial benefits for hourly rates or occupancy that is for 12 hours or less;

2. allowing human trafficking victims to participate in the address confidentiality program;
3. making it an affirmative defense in any human trafficking prosecution or delinquency proceeding that the defendant was a minor (under age 18) and his or her participation in the offense was a result of having been a trafficked victim;
4. allowing the court to vacate a conviction, on application by a human trafficking victim, for any misdemeanor offense (not just prostitution); class C, D, or E felony; or unclassified felony offense carrying up to a 10-year prison term; and requiring the court to dismiss any charges related to an offense it vacates; and
5. expediting certifications of helpfulness for purposes of U Nonimmigrant visa status, which is available to certain crime victims, including trafficked victims.

## Laws Enacted Over the Past Five Legislative Sessions

Table 1 below provides a brief description of the human trafficking-related legislation enacted over the past five legislative sessions (2020-2024).

**Table 1: Human Trafficking-Related Legislation Enacted From 2020-2024**

Public Act	Summary of Legislation
<b>2024</b>	
<a href="#">PA 24-139</a> , §§ 1, 3 & 4	<p><b><i>JJPOC’s Human Trafficking Data Analysis</i></b></p> <p>This 2024 law made various changes in laws related to JJPOC and human trafficking. Among other things, the new law specifically required:</p> <ol style="list-style-type: none"> <li>1. JJPOC to establish a gender responsiveness subcommittee by January 1, 2025;</li> <li>2. the subcommittee to work with the Trafficking in Persons Council to, among other things, develop a framework for reporting, collecting, and distributing human trafficking police data to generate annual reports and make legislative and policy recommendations; and</li> <li>3. the Trafficking in Persons Council and the Transforming Children’s Behavioral Health Policy and Planning Committee to collaborate with JJPOC’s gender responsiveness subcommittee in carrying out its responsibilities (<a href="#">CGS §§ 46b-121n</a>, <a href="#">46a-170</a>, &amp; <a href="#">2-137</a>, as amended by <a href="#">PA 24-139</a>, §§ 1, 3 &amp; 4).</li> </ol>

Table 1 (continued)

Public Act	Summary of Legislation
<b>2023</b>	
<a href="#">PA 23-20, § 1</a>	<b>Prohibitions on Hotels, Motels, and Other Lodging Operators</b>
	This 2023 law expanded protections for human trafficking victims. It prohibits hotel, motel, or similar lodging operators that offer or provide a room with sleeping accommodations from offering or providing a financial discount or benefit that is based on an (1) hourly rate or (2) occupancy period that is for 12 hours or less (codified at <a href="#">CGS § 44-6</a> , as amended by <a href="#">PA 23-20, § 1</a> ).
<a href="#">PA 23-20, § 2</a>	<b>Trafficking in Persons Council</b>
	This 2023 law also increased the Trafficking in Persons Council's membership from 35 to 36 by adding the Department of Developmental Services commissioner, or the commissioner's designee. By law, among other things, the council coordinates human trafficking data collection and consults with government and non-government organizations to develop recommendations to strengthen state and local efforts to prevent trafficking, protect and assist victims, and prosecute traffickers ( <a href="#">CGS § 46a-170(b)</a> , as amended by <a href="#">PA 23-20, § 2</a> ).
<b>2022</b>	
<a href="#">PA 22-87, §§ 9-11</a>	<b>Address Confidentiality Program</b>
	<p>By law, the address confidentiality program, administered by the secretary of the state, allows certain victims (such as domestic violence and sexual assault victims) to receive a substitute mailing address to keep their residential address confidential due to safety concerns.</p> <p>This 2022 law expanded the program by allowing the following individuals to participate:</p> <ol style="list-style-type: none"><li>1. victims of 1st or 2nd degree kidnapping, 1st or 2nd degree kidnapping with a firearm, or human trafficking;</li><li>2. victims of child abuse that was substantiated by DCF and the basis of a restraining or civil protection order; and</li><li>3. children who are the subject of petitions to terminate parental rights granted by the court (codified at <a href="#">CGS §§ 54-240, -240a, &amp; -240c</a>).</li></ol>

Table 1 (continued)

Public Act	Summary of Legislation
<b>2021</b>	
<p><a href="#">PA 21-103</a></p> <p>§ 1</p> <p>§ 3</p> <p>§§ 3-5</p> <p>§ 6</p>	<p>This 2021 act made various changes to laws affecting human trafficking crime and victims. See section-by-section summary of the relevant provisions below.</p> <p><b>Trafficking in Persons Council</b> The act increased the council’s membership from 27 to 35 by adding (1) a Superior Court judge, appointed by the chief court administrator; (2) a state’s attorney, appointed by the chief state’s attorney; (3) a public defender, appointed by the chief public defender; and (4) five additional public members with certain qualifications (codified at <a href="#">CGS § 46a-170(b)</a>). (As stated above, the council’s membership was further increased in 2023.)</p> <p><b>Affirmative Defense for Trafficking Victims</b> The act also made it an affirmative defense in any human trafficking prosecution or delinquency proceeding that the defendant was a minor (under age 18) and his or her participation in the offense was a result of having been a victim of another person’s conduct that constitutes human trafficking (codified at <a href="#">CGS § 53a-192a(b)</a>).</p> <p><b>Elements of Certain Sex Crimes</b> It also:</p> <ol style="list-style-type: none"> <li>1. narrowed the elements of the trafficking in persons crime by including only actions a person commits knowingly (§ 3) (codified at <a href="#">CGS § 53a-192a(a)</a>); and</li> <li>2. broadened the crimes of “sex trafficking,” “patronizing a prostitute,” and “commercial sexual abuse of a minor” to include taking these actions in exchange for anything of value, instead of only for paying a fee (§§ 3-5) (codified at <a href="#">CGS §§ 53a-83 &amp; -83b</a>).</li> </ol> <p>(<a href="#">PA 21-102</a>, §§ 2 &amp; 3, changed the term “patronizing a prostitute” to “soliciting sexual acts,” effective October 1, 2021.)</p> <p><b>DCF Human Trafficking Awareness Course</b> The act also (1) reduced the required frequency for certain professionals (such as law enforcement personnel, Superior Court judges, prosecutors, public defenders and other criminal defense attorneys, and certain hospital and school personnel and officials) to complete DCF’s refresher training in human trafficking awareness from annually to every three years and (2) extended the training requirement to EMS personnel (codified at <a href="#">CGS § 17a-106h</a>).</p>

Table 1 (continued)

Public Act	Summary of Legislation
<b>2021 (continued)</b>	
<p>§ 7, as amended by <a href="#">PA 21-104</a>, § 62</p>	<p><b><i>Vacatur Relief (Vacating Convictions)</i></b></p> <p>By law, the court must vacate a conviction for prostitution (a class A misdemeanor) if the defendant proves that his or her participation in the offense was a result of having been a victim of another person’s conduct that constitutes a human trafficking violation under state or federal law.</p> <p><a href="#">PA 21-103</a>, § 7, allows the court, at its discretion, to also vacate a judgment of conviction for any other misdemeanor offense; class C, D, or E felony; or unclassified felony offense carrying up to a 10-year prison term applied for by a human trafficking victim. The court must dismiss any charges related to an offense it vacates (codified at <a href="#">CGS § 54-95c(d)</a>).</p>
<p><a href="#">PA 21-106</a>, § 17</p>	<p><b><i>CDL Disqualifications</i></b></p> <p>This 2021 act conformed state law to federal regulation by requiring a lifetime CDL disqualification without the possibility of reinstatement for anyone who commits certain human trafficking felonies, as defined under federal law, while using a commercial motor vehicle (codified at <a href="#">CGS § 14-44k(g)</a>).</p> <p>Specifically, this applies to the following felonies:</p> <ol style="list-style-type: none"> <li>1. sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform the act is under age 18 or</li> <li>2. the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services by force, fraud, or coercion to subject the person to involuntary servitude, peonage, debt bondage, or slavery (49 C.F.R. § 383.51 &amp; 22 U.S.C. § 7201(11)).</li> </ol>

Table 1 (continued)

Public Act	Summary of Legislation
<b>2021 (continued)</b>	
<a href="#">PA 21-78</a> , § 5	<p><b><i>U Nonimmigrant Status Certification</i></b></p> <p>By law, each law enforcement agency must designate at least one officer with supervisory duties to expeditiously process, upon the request of a family violence or other crime victim who is an undocumented individual applying for U Nonimmigrant Status, a certification of helpfulness and any subsequent certification the victim requires. (U Nonimmigrant Status is for victims of certain crimes, such as human trafficking, who have suffered mental or physical abuse and are helpful to law enforcement or government officials in the investigation or prosecution of criminal activity.)</p> <p><a href="#">PA 21-78</a>, § 5, defined the term “expeditiously,” and in so doing required each law enforcement agency, starting July 1, 2021, to provide the certification (information required by the U.S. Department of Homeland Security):</p> <ol style="list-style-type: none"> <li>1. within 60 days after receiving the request for certification of helpfulness or</li> <li>2. within 14 days after receiving the request if the (a) victim is in federal immigration removal proceedings or detained or (b) victim’s child, parents, or siblings would become ineligible for an immigration benefit by virtue of the victim or his or her sibling attaining age 18 years or the victim’s child attaining age 21 years (codified at <a href="#">CGS § 46b-38b(g)(5)</a>).</li> </ol>
<b>2020</b>	
	No legislation on this topic passed in 2020.

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