



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

**HB5468**

Introduced 2/9/2024, by Rep. Jennifer Sanalidro

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/6-3.1 new

Amends the Criminal Code of 2012. Provides that a person is not engaged in conduct that would constitute a felony or a Class A misdemeanor or in a place where the person does not have a right to be if the person is engaged in the activity or in the place due to the person's status as a trafficking victim. Provides that a person must prove the person's status as a trafficking victim by clear and convincing evidence. Provides that the person may provide clear and convincing evidence of the person's status as a trafficking victim through testimony at trial. Defines "trafficking victim" as a person subjected to the practices prohibited by the involuntary servitude, involuntary sexual servitude of a minor, or trafficking in persons statutes.

LRB103 36845 RLC 66957 b

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 2012 is amended by adding  
5 Section 6-3.1 as follows:

6 (720 ILCS 5/6-3.1 new)

7 Sec. 6-3.1. Trafficking victims; defense.

8 (a) In this Section, "trafficking victim" has the meaning  
9 ascribed to the term in paragraph (10) of subsection (a) of  
10 Section 10-9.

11 (b) A person is not engaged in conduct that would  
12 constitute a felony or a Class A misdemeanor or in a place  
13 where the person does not have a right to be if the person is  
14 engaged in the activity or in the place due to the person's  
15 status as a trafficking victim.

16 (c) The person must prove the person's status as a  
17 trafficking victim by clear and convincing evidence.

18 (d) The person may provide clear and convincing evidence  
19 of the person's status as a trafficking victim through  
20 testimony at trial.