



VILLANOVA UNIVERSITY  
CHARLES WIDGER SCHOOL OF LAW

THE INSTITUTE TO ADDRESS  
COMMERCIAL SEXUAL EXPLOITATION

## Act 1 (2020): Pennsylvania's Buyer Beware Act

Act 1 (2020) shifts the focus of state law from punishing the victims of trafficking to punishing those who traffic individuals and those who buy sex from them.

### MAKES AMENDMENTS TO EXISTING HUMAN TRAFFICKING LAW

**Act 1 (2020) elevates trafficking offenses to felonies of the first-degree for traffickers and third-party facilitators.**

- As a first degree felony, trafficking is now punishable by up to 20 years in prison and/or a fine of up to \$25,000. *18 Pa. C.S. § 3011.*
- For those who traffic minors, the maximum possible penalty increases to up to 40 years in prison if the offense is part of a course of conduct. *18 Pa. C.S. § 3011.*
- Act 1 (2020) also adds “**advertises**” to the list of acts that constitute trafficking. *18 Pa. C.S. § 3011.*

### INCREASES PENALTIES AGAINST SEX BUYERS

**Act 1 (2020) increases the grading of the offense of patronizing a victim of human trafficking.**

- The offense of patronizing a victim of human trafficking is now a first-degree felony if the sex buyer knew the individual was a victim of human trafficking. *18 Pa. C.S. § 3013.*
- The offense has also been expanded to criminalize those who purchase sex in reckless disregard as to whether the individual is a victim of human trafficking as a third-degree felony, and a first degree felony for any subsequent offense. *18 Pa. C.S. § 3013.*

### EXPANDS THE DEFINITION OF “CHILD VICTIMS”

- Act 1 (2020) updates *18 Pa. C.S. § 5982* to change the definition of a “child” from anyone under 16 years of age to anyone under 18 years of age.

### INCREASES FINES AGAINST SEX BUYERS

**Act 1 (2020) increases fines against those who patronize a victim of human trafficking and puts those funds toward policing, prosecution, and victim services.**

- The fines have increased to \$1,000 for a first offense, \$25,000 for a second offense, \$50,000 for a third or subsequent offense, and \$50,000 for those who purchase sex from a minor victim. *18 Pa. C.S. § 3013.*
- Funds leveraged from convictions will go toward reimbursing law enforcement agencies involved in human trafficking investigations. *18 Pa. C.S. § 3021.*
- 30% of those remaining funds will go toward prosecuting human trafficking cases, and 70% will fund victim services and grants that address human trafficking and aid survivors. *18 Pa. C.S. § 3013.*

**The law will take effect on April 6, 2020**



The Villanova Law Institute to Address  
Commercial Sexual Exploitation

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