Pennsylvania House Bill No. 2170 (2020)

HB 2170 (2020) seeks to provide greater protections to those who are commercially sexually exploited by adjusting the Commonwealth’s trafficking and prostitution laws.

**STRENGTHENS AND CLARIFIES EXISTING LAW**

HB 2170 (2020) amends Pennsylvania’s comprehensive human trafficking statute to clarify definitions and add additional acts to trafficking in individuals.

• Defines “house of prostitution” to include any place where prostitution or promotion of prostitution is regularly carried on by one or more. 18 Pa.C.S. § 3001.
• Defines “inmate” to be a person who engages in prostitution in or through the agency of a house of prostitution. 18 Pa.C.S. § 3001.
• Defines “public place” as any place to which the public or any group may have access.
• Adds “patronizes” to the list of acts that constitute sex trafficking. 18 Pa.C.S. § 3011(a).

**INCREASES PENALTIES FOR HABITUAL EXPLOITERS**


• Moves “promoting prostitution” (18 Pa.C.S. § 5902(b)) to Chapter 30 – Human Trafficking and increases the grading to a felony of the third degree. 18 Pa.C.S. § 3027.
• Amends “living off prostitutes” (18 Pa.C.S. § 5902(d)) to “living off sexually exploited persons” and adds it to Chapter 30, keeping the grade a felony of the third degree. 18 Pa.C.S. § 3028.
• Amends “patronizing prostitutes” (18 Pa.C.S. § 5902(e)) to “commercial sexual exploitation,” and adds it to Chapter 30, maintaining recidivist penalties. 18 Pa.C.S. § 3029.

**INCREASES FUNDING FOR JUVENILE VICTIMS**

• Assigns all § 3011 offenses a fine of $5,000 to be paid to the Sexually Exploited Children Fund. 18 Pa.C.S. § 3064.

**EXPANDS PROHIBITED EXPUNGEMENT**

• Prohibiting expungement of a defendant’s arrest record for charges of “promoting prostitution” or “commercial sexual exploitation” if the victim was under 18.
• Increases access to information on defendants charged with violating PA’s human trafficking statute. 18 Pa.C.S. § 9122.