



VILLANOVA UNIVERSITY  
CHARLES WIDGER SCHOOL OF LAW

THE INSTITUTE TO ADDRESS  
COMMERCIAL SEXUAL EXPLOITATION

## Pennsylvania House Bill No. 1835 (2021)

HB 1835 (2021) 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 1835 (2010) 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).*

### ELIMINATES RECIDIVIST PENALTIES FOR THE EXPLOITED

- Keeps "prostitution" (*18 Pa. C.S. § 5902(a)*) as a misdemeanor of the third-degree, eliminating recidivist penalties for those charged with the offense multiple times.

### INCREASES PENALTIES FOR HABITUAL EXPLOITERS

**HB 1835 (2021) disaggregates Prostitution and Related Offenses (currently *18 Pa.C.S. § 5902*).**

- 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.*



The Villanova Law Institute to Address  
Commercial Sexual Exploitation

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