



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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