

***Effective 5/12/2015***

**76-5-309 Human trafficking and human smuggling -- Penalties.**

- (1) Human trafficking for forced labor and human trafficking for forced sexual exploitation are each a second degree felony, except under Section 76-5-310.
- (2) Human smuggling under Section 76-5-308 of one or more persons is a third degree felony, except under Section 76-5-310.
- (3) Human trafficking for forced labor or for forced sexual exploitation, human trafficking of a child, and human smuggling are each a separate offense from any other crime committed in relationship to the commission of either of these offenses.
- (4) Under circumstances not amounting to aggravated sexual abuse of a child, a violation of Subsection 76-5-404.1(4)(h), a person who benefits, receives, or exchanges anything of value from knowing participation in:
  - (a) human trafficking for forced labor or for forced sexual exploitation in violation of Section 76-5-308 is guilty of a second degree felony; and
  - (b) human smuggling is guilty of a third degree felony.
- (5) A person commits a separate offense of human trafficking, human trafficking of a child, or human smuggling for each person who is smuggled or trafficked under Section 76-5-308, 76-5-308.5, or 76-5-310.

Amended by Chapter 160, 2015 General Session