



Legislation Text

File #: 1663-2021, Version: 2

Human Trafficking is the recruitment, transportation, transfer, harboring or receipt of people through force, fraud or deception, with the aim of exploiting them for profit. Men, women, and children of all ages and from all backgrounds can become victims of this crime, which occurs in every region of the world. The State of Ohio ranks 5th in cases of human trafficking by the National Human Trafficking Hotline, with Columbus representing the largest sex trafficking market in the state.

There is a need for funding to support service organizations that provide shelter, counseling, and healthcare resources to victims of human trafficking. Oftentimes these services can be the difference between life and death for victims.

In addition, buyers that purchase victims for sexual exploitation are engaging in behavior that harms victims and the communities in which they live. As the City of Columbus establishes Section 2307.231 and increases penalties for individuals who are found guilty of sexual exploitation, it is prudent and just to utilize the penalties for sexual exploitation offenses to supplement programs that support the victims of this offense. The creation of the Victims of Human Trafficking fund will allow the City of Columbus to harness these penalties in order to create a pool of funding for victims' services.

This legislation will authorize and direct the City Auditor to establish a new Victims of Human Trafficking fund to support organizations dedicated to providing services to victims of human trafficking.

In order to determine whether this legislation is having the desired effect of reducing demand for sex work, a thorough review and assessment of this amendment will occur 2 years from the date which this legislation takes effect.

To amend Chapter 2307 of Columbus City Codes with new provisions regarding human trafficking and sexual exploitation.

WHEREAS, City Council established of Section 2307.231 within the Columbus City Code, in order to create the offense "sexual exploitation" and establish penalties for violation of this section; and

WHEREAS, In order to address the impact of human trafficking on victims and communities, funding is necessary to support organizations dedicated to providing shelter, counseling, and healthcare services to victims of human trafficking; and

WHEREAS, The Victims of Human Trafficking fund will be established through the distribution of fines incurred for violation of Section 2307.231; and

WHEREAS, It is necessary to establish this fund to ensure fines incurred for violation of Section 2307.231 can be distributed to organizations working to combat the impacts of human trafficking; **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That chapter 2307 of Columbus City Codes is hereby amended as follows:

2307.231 Sexual Activity for Hire

(A) As used in this section, “sexual activity for hire” means an implicit or explicit agreement to provide sexual activity in exchange for anything of value paid to the person engaging in such sexual activity, to any person trafficking that person, or to any person associated with either such person.

(B) No person shall recklessly induce or entice another to engage in sexual activity for hire in exchange for the person giving anything of value to the other person.

Whoever violates division (B) of this section is guilty of engaging in sexual exploitation, an unclassified misdemeanor.

(1) In sentencing the offender under this section, the court shall consider requiring the offender to attend an education or treatment program aimed at preventing persons from inducing or enticing another to engage in sexual activity for hire. In addition to any other penalties imposed by the court, the offender shall ~~may~~ be **subject to a fine of ~~fined~~ not less than three hundred dollars (\$300.00), and notwithstanding the fine specified in division (A)(2)(a) of section 2929.28 of the Ohio Revised Code for a misdemeanor of the first degree, the court may impose upon the offender a fine of not more than one thousand five hundred dollars (\$1500.00).**

(2) If the offender, within the past five years, previously has been convicted of or pleaded guilty to a violation of this section, section 2307.23, section 2307.51 or any provision of Chapter 2907 of the Ohio Revised Code, in addition to any other penalties imposed by the court, the offender shall ~~may~~ be **subject to a fine of ~~fined~~ not less than five hundred fifty dollars (\$550.00) and notwithstanding the fine specified in division (A)(2)(a) of section 2929.28 of the Ohio Revised Code for a misdemeanor of the first degree, the court may impose upon the offender a fine of not more than one thousand five hundred dollars (\$1500.00) and shall ~~may~~ be required to serve ~~not less than~~ 10 days in jail.**

(3) If the offender, within the past five years, previously has been convicted of or pleaded guilty to two or more violations of this section, section 2307.23, section 2307.251 or any provision of Chapter 2907 of the Ohio Revised Code, in addition to any other penalties imposed by the court, the offender shall ~~may~~ be **subject to a fine of ~~fined~~ not less than eight hundred dollars (\$800) and notwithstanding the fine specified in division (A)(2)(a) of section 2929.28 of the Ohio Revised Code for a misdemeanor of the first degree, the court may impose upon the offender a fine of not more than one thousand five hundred dollars (\$1500.00) and shall ~~may~~ be required to serve ~~not less than~~ 15 days in jail.**

2307.232 Victims of Human Trafficking fund

(A) There is hereby created a Victims of Human Trafficking fund, the purpose of which shall be to provide financial assistance to non-profit organizations that administer programs which support individuals that have been victims of human trafficking.

(B) Of the receipts received by the city as a function of the fines imposed under Section 2307.231 of Columbus City Codes, seventy five percent (75%) shall be deposited in the Victims of Human Trafficking fund.

2307.24 - Soliciting

(A) No person shall knowingly solicit another to engage with such other person in sexual activity for hire in exchange for

the person receiving anything of value from the other person.

(B) Whoever violates this section is guilty of soliciting. Soliciting is a misdemeanor of the first degree.

(C) This section shall not apply and the offense shall be prosecuted pursuant to the Ohio Revised Code if:

(1) The offender, with knowledge that the offender has tested positive as a carrier of a virus that causes acquired immunodeficiency syndrome, engaged in conduct in violation of division (A) of this section.

(D) As used in this section “sexual activity for hire” means an implicit or explicit agreement to provide sexual activity in exchange for anything of value paid to the person engaging in such sexual activity, to any person trafficking that person, or to any person associated with either such person.

SECTION 2. That this ordinance shall take effect at the earliest date allowable by law.