

By: Representatives Hood, Ladner, Campbell,
Crawford

To: Judiciary B

HOUSE BILL NO. 1413
(As Passed the House)

1 AN ACT TO AMEND SECTION 43-21-105, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT A TRAFFICKED CHILD IS AN ABUSED CHILD; TO AMEND
3 SECTION 45-33-23, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT
4 PROMOTING OR PROCURING PROSTITUTION OF A CHILD ARE REGISTRABLE
5 OFFENSES; TO AMEND SECTION 97-3-54.1, MISSISSIPPI CODE OF 1972, TO
6 INCLUDE COERCION; TO AMEND SECTION 97-3-54.4, MISSISSIPPI CODE OF
7 1972, TO REVISE DEFINITIONS; AND FOR RELATED PURPOSES.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

9 **SECTION 1.** Section 43-21-105, Mississippi Code of 1972, is
10 amended as follows:

11 43-21-105. The following words and phrases, for purposes of
12 this chapter, shall have the meanings ascribed herein unless the
13 context clearly otherwise requires:

14 (a) "Youth court" means the Youth Court Division.

15 (b) "Judge" means the judge of the Youth Court
16 Division.

17 (c) "Designee" means any person that the judge appoints
18 to perform a duty which this chapter requires to be done by the
19 judge or his designee. The judge may not appoint a person who is



20 involved in law enforcement or who is an employee of the
21 Mississippi Department of Human Services to be his designee.

22 (d) "Child" and "youth" are synonymous, and each means
23 a person who has not reached his eighteenth birthday. A child who
24 has not reached his eighteenth birthday and is on active duty for
25 a branch of the armed services or is married is not considered a
26 "child" or "youth" for the purposes of this chapter.

27 (e) "Parent" means the father or mother to whom the
28 child has been born, or the father or mother by whom the child has
29 been legally adopted.

30 (f) "Guardian" means a court-appointed guardian of the
31 person of a child.

32 (g) "Custodian" means any person having the present
33 care or custody of a child whether such person be a parent or
34 otherwise.

35 (h) "Legal custodian" means a court-appointed custodian
36 of the child.

37 (i) "Delinquent child" means a child who has reached
38 his tenth birthday and who has committed a delinquent act.

39 (j) "Delinquent act" is any act, which if committed by
40 an adult, is designated as a crime under state or federal law, or
41 municipal or county ordinance other than offenses punishable by
42 life imprisonment or death. A delinquent act includes escape from
43 lawful detention and violations of the Uniform Controlled
44 Substances Law and violent behavior.



45 (k) "Child in need of supervision" means a child who
46 has reached his seventh birthday and is in need of treatment or
47 rehabilitation because the child:

48 (i) Is habitually disobedient of reasonable and
49 lawful commands of his parent, guardian or custodian and is
50 ungovernable; or

51 (ii) While being required to attend school,
52 willfully and habitually violates the rules thereof or willfully
53 and habitually absents himself therefrom; or

54 (iii) Runs away from home without good cause; or

55 (iv) Has committed a delinquent act or acts.

56 (l) "Neglected child" means a child:

57 (i) Whose parent, guardian or custodian or any
58 person responsible for his care or support, neglects or refuses,
59 when able so to do, to provide for him proper and necessary care
60 or support, or education as required by law, or medical, surgical,
61 or other care necessary for his well-being; however, a parent who
62 withholds medical treatment from any child who in good faith is
63 under treatment by spiritual means alone through prayer in
64 accordance with the tenets and practices of a recognized church or
65 religious denomination by a duly accredited practitioner thereof
66 shall not, for that reason alone, be considered to be neglectful
67 under any provision of this chapter; or

68 (ii) Who is otherwise without proper care,
69 custody, supervision or support; or



70 (iii) Who, for any reason, lacks the special care
71 made necessary for him by reason of his mental condition, whether
72 the mental condition is having mental illness or having an
73 intellectual disability; or

74 (iv) Who, for any reason, lacks the care necessary
75 for his health, morals or well-being.

76 (m) "Abused child" means a child whose parent, guardian
77 or custodian or any person responsible for his care or support,
78 whether legally obligated to do so or not, has caused or allowed
79 to be caused, upon the child, sexual abuse, sexual exploitation,
80 emotional abuse, mental injury, nonaccidental physical injury or
81 other maltreatment. However, physical discipline, including
82 spanking, performed on a child by a parent, guardian or custodian
83 in a reasonable manner shall not be deemed abuse under this
84 section. "Abused child" also means a child who is or has been
85 trafficked within the meaning of the Mississippi Human Trafficking
86 Act by any person, without regard to the relationship of the
87 person to the child.

88 (n) "Sexual abuse" means obscene or pornographic
89 photographing, filming or depiction of children for commercial
90 purposes, or the rape, molestation, incest, prostitution or other
91 such forms of sexual exploitation of children under circumstances
92 which indicate that the child's health or welfare is harmed or
93 threatened.



94 (o) "A child in need of special care" means a child
95 with any mental or physical illness that cannot be treated with
96 the dispositional alternatives ordinarily available to the youth
97 court.

98 (p) A "dependent child" means any child who is not a
99 child in need of supervision, a delinquent child, an abused child
100 or a neglected child, and which child has been voluntarily placed
101 in the custody of the Department of Human Services by his parent,
102 guardian or custodian.

103 (q) "Custody" means the physical possession of the
104 child by any person.

105 (r) "Legal custody" means the legal status created by a
106 court order which gives the legal custodian the responsibilities
107 of physical possession of the child and the duty to provide him
108 with food, shelter, education and reasonable medical care, all
109 subject to residual rights and responsibilities of the parent or
110 guardian of the person.

111 (s) "Detention" means the care of children in
112 physically restrictive facilities.

113 (t) "Shelter" means care of children in physically
114 nonrestrictive facilities.

115 (u) "Records involving children" means any of the
116 following from which the child can be identified:

117 (i) All youth court records as defined in Section
118 43-21-251;



119 (ii) All social records as defined in Section
120 43-21-253;

121 (iii) All law enforcement records as defined in
122 Section 43-21-255;

123 (iv) All agency records as defined in Section
124 43-21-257; and

125 (v) All other documents maintained by any
126 representative of the state, county, municipality or other public
127 agency insofar as they relate to the apprehension, custody,
128 adjudication or disposition of a child who is the subject of a
129 youth court cause.

130 (v) "Any person responsible for care or support" means
131 the person who is providing for the child at a given time. This
132 term shall include, but is not limited to, stepparents, foster
133 parents, relatives, nonlicensed baby-sitters or other similar
134 persons responsible for a child and staff of residential care
135 facilities and group homes that are licensed by the Department of
136 Human Services.

137 (w) The singular includes the plural, the plural the
138 singular and the masculine the feminine when consistent with the
139 intent of this chapter.

140 (x) "Out-of-home" setting means the temporary
141 supervision or care of children by the staff of licensed day care
142 centers, the staff of public, private and state schools, the staff
143 of juvenile detention facilities, the staff of unlicensed



144 residential care facilities and group homes and the staff of, or
145 individuals representing, churches, civic or social organizations.

146 (y) "Durable legal custody" means the legal status
147 created by a court order which gives the durable legal custodian
148 the responsibilities of physical possession of the child and the
149 duty to provide him with care, nurture, welfare, food, shelter,
150 education and reasonable medical care. All these duties as
151 enumerated are subject to the residual rights and responsibilities
152 of the natural parent(s) or guardian(s) of the child or children.

153 (z) "Status offense" means conduct subject to
154 adjudication by the youth court that would not be a crime if
155 committed by an adult.

156 (aa) "Financially able" means a parent or child who is
157 ineligible for a court-appointed attorney.

158 **SECTION 2.** Section 45-33-23, Mississippi Code of 1972, is
159 amended as follows:

160 45-33-23. For the purposes of this chapter, the following
161 words shall have the meanings ascribed herein unless the context
162 clearly requires otherwise:

163 (a) "Conviction" means that, regarding the person's
164 offense, there has been a determination or judgment of guilt as a
165 result of a trial or the entry of a plea of guilty or nolo
166 contendere regardless of whether adjudication is withheld.

167 "Conviction of similar offenses" includes, but is not limited to,
168 a conviction by a federal or military tribunal, including a



169 court-martial conducted by the Armed Forces of the United States,
170 a conviction for an offense committed on an Indian Reservation or
171 other federal property, a conviction in any state of the United
172 States, the District of Columbia, the Commonwealth of Puerto Rico,
173 Guam, American Samoa, the Northern Marianna Islands or the United
174 States Virgin Islands, and a conviction in a foreign country if
175 the foreign country's judicial system is such that it satisfies
176 minimum due process set forth in the guidelines under Section
177 111(5) (B) Public Law 109-248.

178 (b) "Department" means the Mississippi Department of
179 Public Safety unless otherwise specified.

180 (c) "Jurisdiction" means any court or locality
181 including any state court, federal court, military court, Indian
182 tribunal or foreign court, the fifty (50) states, the District of
183 Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa,
184 the Northern Marianna Islands or the United States Virgin Islands,
185 and Indian tribes that elect to function as registration
186 jurisdictions under Title 1, SORNA Section 127 of the Adam Walsh
187 Child Safety Act.

188 (d) "Permanent residence" means a place where the
189 person abides, lodges, or resides for a period of fourteen (14) or
190 more consecutive days.

191 (e) "Registration" means providing information to the
192 appropriate agency within the time frame specified as required by
193 this chapter.



194 (f) "Registration duties" means obtaining the
195 registration information required on the form specified by the
196 department as well as the photograph, fingerprints and biological
197 sample of the registrant. Biological samples are to be forwarded
198 to the Mississippi Forensics Laboratory pursuant to Section
199 45-33-37; the photograph, fingerprints and other registration
200 information are to be forwarded to the Department of Public Safety
201 immediately.

202 (g) "Responsible agency" is defined as the person or
203 government entity whose duty it is to obtain information from a
204 criminal sex offender upon conviction and to transmit that
205 information to the Mississippi Department of Public Safety.

206 (i) For a criminal sex offender being released
207 from the custody of the Department of Corrections, the responsible
208 agency is the Department of Corrections.

209 (ii) For a criminal sex offender being released
210 from a county jail, the responsible agency is the sheriff of that
211 county.

212 (iii) For a criminal sex offender being released
213 from a municipal jail, the responsible agency is the police
214 department of that municipality.

215 (iv) For a sex offender in the custody of the
216 youth court, the responsible agency is the youth court.

217 (v) For a criminal sex offender who is being
218 placed on probation, including conditional discharge or



219 unconditional discharge, without any sentence of incarceration,
220 the responsible agency is the sentencing court.

221 (vi) For an offender who has been committed to a
222 mental institution following an acquittal by reason of insanity,
223 the responsible agency is the facility from which the offender is
224 released. Specifically, the director of the facility shall notify
225 the Department of Public Safety before the offender's release.

226 (vii) For a criminal sex offender who is being
227 released from a jurisdiction outside this state or who has a prior
228 conviction in another jurisdiction and who is to reside, work or
229 attend school in this state, the responsible agency is both the
230 sheriff of the proposed county of residence and the department.

231 (h) "Sex offense" or "registrable offense" means any of
232 the following offenses:

233 (i) Section 97-3-53 relating to kidnapping, if the
234 victim was below the age of eighteen (18);

235 (ii) Section 97-3-65 relating to rape; however,
236 conviction or adjudication under Section 97-3-65(1) (a) when the
237 offender was eighteen (18) years of age or younger at the time of
238 the alleged offense, shall not be a registrable sex offense;

239 (iii) Section 97-3-71 relating to rape and assault
240 with intent to ravish;

241 (iv) Section 97-3-95 relating to sexual battery;
242 however, conviction or adjudication under Section 97-3-95(1) (c)
243 when the offender was eighteen (18) years of age or younger at the



244 time of the alleged offense, shall not be a registrable sex
245 offense;

246 (v) Section 97-5-5 relating to enticing a child
247 for concealment, prostitution or marriage;

248 (vi) Section 97-5-23 relating to the touching of a
249 child, mentally defective or incapacitated person or physically
250 helpless person for lustful purposes;

251 (vii) Section 97-5-27 relating to the
252 dissemination of sexually oriented material to children;

253 (viii) Section 97-5-33 relating to the
254 exploitation of children;

255 (ix) Section 97-5-41 relating to the carnal
256 knowledge of a stepchild, adopted child or child of a cohabiting
257 partner;

258 (x) Section 97-29-3 relating to sexual intercourse
259 between teacher and student;

260 (xi) Section 97-29-59 relating to unnatural
261 intercourse;

262 (xii) Section 43-47-18 relating to sexual abuse of
263 a vulnerable person;

264 (xiii) Section 97-3-54.1(1)(c) relating to
265 procuring sexual servitude of a minor and Section 97-3-54.3
266 relating to aiding, abetting or conspiring to violate Section
267 97-3-54.1(1)(c);



268 (xiv) Section 97-29-61(2) relating to voyeurism
269 when the victim is a child under sixteen (16) years of age;
270 (xv) Section 97-29-63 relating to filming another
271 without permission where there is an expectation of privacy;
272 (xvi) Section 97-29-45(1)(a) relating to obscene
273 electronic communication;
274 (xvii) Section 97-3-104 relating to the crime of
275 sexual activity between law enforcement, correctional or custodial
276 personnel and prisoners;
277 (xviii) Section 97-5-39(1)(e) relating to
278 contributing to the neglect or delinquency of a child, felonious
279 abuse or battery of a child, if the victim was sexually abused;
280 (xix) Section 97-29-51 relating to procuring or
281 promoting prostitution when the victim is a child under eighteen
282 (18) years of age;
283 (* * *xx) Section 97-1-7 relating to attempt to
284 commit any of the * * * offenses referenced in this paragraph (h);
285 (* * *xxi) Any other offense resulting in a
286 conviction in another jurisdiction which, if committed in this
287 state, would be deemed to be such a crime without regard to its
288 designation elsewhere;
289 (* * *xxii) Any offense resulting in a conviction
290 in another jurisdiction for which registration is required in the
291 jurisdiction where the conviction was had;



292 (* * *xxiii) Any conviction of conspiracy to
293 commit, accessory to commission, or attempt to commit any offense
294 listed in this section;

295 (* * *xxiv) Capital murder when one (1) of the
296 above-described offenses is the underlying crime.

297 (i) "Temporary residence" is defined as any place where
298 the person abides, lodges, or resides for a period of seven (7) or
299 more consecutive days which is not the person's permanent
300 residence.

301 **SECTION 3.** Section 97-3-54.1, Mississippi Code of 1972, is
302 amended as follows:

303 97-3-54.1. (1) (a) A person who coerces, recruits,
304 entices, harbors, transports, provides or obtains by any means, or
305 attempts to coerce, recruit, entice, harbor, transport, provide or
306 obtain by any means, another person, intending or knowing that the
307 person will be subjected to forced labor or services, or who
308 benefits, whether financially or by receiving anything of value
309 from participating in an enterprise that he knows or reasonably
310 should have known has engaged in such acts, shall be guilty of the
311 crime of human-trafficking.

312 (b) A person who knowingly purchases the forced labor
313 or services of a trafficked person or who otherwise knowingly
314 subjects, or attempts to subject, another person to forced labor
315 or services or who benefits, whether financially or by receiving
316 anything of value from participating in an enterprise that he



317 knows or reasonably should have known has engaged in such acts,
318 shall be guilty of the crime of procuring involuntary servitude.

319 (c) A person who knowingly subjects, or attempts to
320 subject, or who recruits, entices, harbors, transports, provides
321 or obtains by any means, or attempts to recruit, entice, harbor,
322 transport, provide or obtain by any means, a minor, knowing that
323 the minor will engage in commercial sexual activity, sexually
324 explicit performance, or the production of sexually oriented
325 material, or causes or attempts to cause a minor to engage in
326 commercial sexual activity, sexually explicit performance, or the
327 production of sexually oriented material, shall be guilty of
328 procuring sexual servitude of a minor and shall be punished by
329 commitment to the custody of the Department of Corrections for not
330 less than five (5) nor more than thirty (30) years, or by a fine
331 of not less than Fifty Thousand Dollars (\$50,000.00) nor more than
332 Five Hundred Thousand Dollars (\$500,000.00), or both. It is not a
333 defense in a prosecution under this section that a minor consented
334 to engage in the commercial sexual activity, sexually explicit
335 performance, or the production of sexually oriented material, or
336 that the defendant reasonably believed that the minor was eighteen
337 (18) years of age or older.

338 (2) If the victim is not a minor, a person who is convicted
339 of an offense set forth in subsection (1)(a) or (b) of this
340 section shall be committed to the custody of the Department of
341 Corrections for not less than two (2) years nor more than twenty



342 (20) years, or by a fine of not less than Ten Thousand Dollars
343 (\$10,000.00) nor more than One Hundred Thousand Dollars
344 (\$100,000.00), or both. If the victim of the offense is a minor,
345 a person who is convicted of an offense set forth in subsection
346 (1)(a) or (b) of this section shall be committed to the custody of
347 the Department of Corrections for not less than five (5) years nor
348 more than twenty (20) years, or by a fine of not less than Twenty
349 Thousand Dollars (\$20,000.00) nor more than One Hundred Thousand
350 Dollars (\$100,000.00), or both.

351 (3) An enterprise may be prosecuted for an offense under
352 this chapter if:

353 (a) An agent of the enterprise knowingly engages in
354 conduct that constitutes an offense under this chapter while
355 acting within the scope of employment and for the benefit of the
356 entity.

357 (b) An employee of the enterprise engages in conduct
358 that constitutes an offense under this chapter and the commission
359 of the offense was part of a pattern of illegal activity for the
360 benefit of the enterprise, which an agent of the enterprise either
361 knew was occurring or recklessly disregarded, and the agent failed
362 to take effective action to stop the illegal activity.

363 (c) It is an affirmative defense to a prosecution of an
364 enterprise that the enterprise had in place adequate procedures,
365 including an effective complaint procedure, designed to prevent
366 persons associated with the enterprise from engaging in the



367 unlawful conduct and to promptly correct any violations of this
368 chapter.

369 (d) The court may consider the severity of the
370 enterprise's offense and order penalties, including: (i) a fine
371 of not more than One Million Dollars (\$1,000,000.00); (ii)
372 disgorgement of profit; and (iii) debarment from government
373 contracts. Additionally, the court may order any of the relief
374 provided in Section 97-3-54.7.

375 (4) In addition to the mandatory reporting provisions
376 contained in Section 97-5-51, any person who has reasonable cause
377 to suspect that a minor under the age of eighteen (18) is a
378 trafficked person shall immediately make a report of the suspected
379 child abuse or neglect to the Department of Human Services and to
380 the Statewide Human Trafficking Coordinator. The Department of
381 Human Services shall then immediately notify the law enforcement
382 agency in the jurisdiction where the suspected child abuse or
383 neglect occurred as required in Section 43-21-353, and the
384 department shall also commence an initial investigation into the
385 suspected abuse or neglect as required in Section 43-21-353. A
386 minor who has been identified as a victim of trafficking shall not
387 be liable for criminal activity in violation of this section.

388 (5) It is an affirmative defense in a prosecution under this
389 act that the defendant:

390 (a) Is a victim; and



391 (b) Committed the offense under a reasonable
392 apprehension created by a person that, if the defendant did not
393 commit the act, the person would inflict serious harm on the
394 defendant, a member of the defendant's family, or a close
395 associate.

396 **SECTION 4.** Section 97-3-54.4, Mississippi Code of 1972, is
397 amended as follows:

398 97-3-54.4. For the purposes of the Mississippi Human
399 Trafficking Act the following words and phrases shall have the
400 meanings ascribed herein unless the context clearly requires
401 otherwise:

402 (a) "Act" or "this act" means the Mississippi Human
403 Trafficking Act.

404 (b) "Actor" means a person who violates any of the
405 provisions of Sections 97-3-54 through 97-3-54.4.

406 (c) "Blackmail" means obtaining property or things of
407 value of another by threatening to (i) inflict bodily injury on
408 anyone; or (ii) commit any other criminal offense * * *.

409 (d) "Coerce" or "coercion" means:

410 (i) Causing or threatening to cause bodily harm to
411 any person, physically restraining or confining any person, or
412 threatening to physically restrain or confine any person;

413 (ii) Exposing or threatening to expose any fact or
414 information or disseminating or threatening to disseminate any



415 fact or information that would tend to subject a person to
416 criminal or immigration proceedings, hatred, contempt or ridicule;

417 (iii) Destroying, concealing, removing,
418 confiscating or possessing any actual or purported passport or
419 other immigration document, or any other actual or purported
420 government identification document of any person;

421 (iv) Providing a controlled substance to a person
422 for the purpose of compelling the person to engage in labor or
423 sexual servitude against the person's will;

424 (v) Causing or threatening to cause financial harm
425 to any person or using financial control over any person;

426 * * *

427 (* * *vi) Abusing or threatening to abuse a
428 position of power, the law, or legal process;

429 * * *

430 (vii) Using blackmail;

431 * * *

432 (viii) Using an individual's personal services as
433 payment or satisfaction of a real or purported debt when: 1. the
434 reasonable value of the services is not applied toward the
435 liquidation of the debt; 2. the length of the services is not
436 limited and the nature of the services is not defined; 3. the
437 principal amount of the debt does not reasonably reflect the value
438 of the items or services for which the debt is incurred; or 4. the



439 individual is prevented from acquiring accurate and timely
440 information about the disposition of the debt; or

441 (ix) Using any scheme, plan or pattern of conduct
442 intended to cause any person to believe that, if the person did
443 not perform * * * the labor or services, that the person or
444 another person would suffer serious harm or physical restraint.

445 (* * * e) "Commercial sexual activity" means any sex
446 act on account of which anything of value is given to, promised
447 to, or received by any person.

448 (* * * f) "Enterprise" means any individual, sole
449 proprietorship, partnership, corporation, union or other legal
450 entity, or any association or group of individuals associated in
451 fact regardless of whether a legal entity has been formed pursuant
452 to any state, federal or territorial law. It includes illicit as
453 well as licit enterprises and governmental as well as other
454 entities.

455 (* * * g) "Financial harm" includes, but is not limited
456 to, extortion as defined by Section 97-3-82, Mississippi Code of
457 1972, or violation of the usury law as defined by Title 75,
458 Chapter 17, Mississippi Code of 1972.

459 (* * * h) "Forced labor or services" means labor or
460 services that are performed or provided by another person and are
461 obtained or maintained through * * * coercion.

462 (* * * i) "Labor" means work of economic or financial
463 value.



464 (* * *j) "Maintain" means, in relation to labor or
465 services, to secure continued performance thereof, regardless of
466 any initial agreement on the part of the trafficked person to
467 perform such labor or service.

468 (* * *k) "Minor" means a person under the age of
469 eighteen (18) years.

470 (* * *l) "Obtain" means, in relation to labor or
471 services, to secure performance thereof.

472 (* * *m) "Pecuniary damages" means any of the
473 following:

474 (i) The greater of the gross income or value to
475 the defendant of the victim's labor or services, including sexual
476 services, not reduced by the expense the defendant incurred as a
477 result of maintaining the victim, or the value of the victim's
478 labor or services calculated under the minimum wage and overtime
479 provisions of the Fair Labor Standards Act, 29 USCS Section 201 et
480 seq., whichever is higher;

481 (ii) If it is not possible or in the best interest
482 of the victim to compute a value under subparagraph (i) of this
483 paragraph (* * *m) * * *, the equivalent of the value of the
484 victim's labor or services if the victim had provided labor or
485 services that were subject to the minimum wage and overtime
486 provisions of the Fair Labor Standards Act, 29 USCS 201 et seq.;

487 (iii) Costs and expenses incurred by the victim as
488 a result of the offense for:



- 489 1. Medical services;
- 490 2. Therapy or psychological counseling;
- 491 3. Temporary housing;
- 492 4. Transportation;
- 493 5. Childcare;
- 494 6. Physical and occupational therapy or
- 495 rehabilitation;
- 496 7. Funeral, interment, and burial services;
- 497 reasonable attorney's fees and other legal costs; and
- 498 8. Other expenses incurred by the victim.

499 (* * * n) "Serious harm" means harm, whether physical

500 or nonphysical, including psychological, economic or reputational,

501 to an individual that would compel a reasonable person in similar

502 circumstances as the individual to perform or continue to perform

503 labor or services to avoid incurring the harm.

504 (* * * o) "Services" means an ongoing relationship

505 between a person and the actor in which the person performs

506 activities under the supervision of or for the benefit of the

507 actor or a third party and includes, without limitation,

508 commercial sexual activity, sexually explicit performances, or the

509 production of sexually explicit materials.

510 (* * * p) "Sexually explicit performance" means a live

511 or public act or show intended to arouse or satisfy the sexual

512 desires or appeal to the prurient interests of patrons.



513 (* * *g) "Trafficked person" means a person subjected
514 to the practices prohibited by this act regardless of whether a
515 perpetrator is identified, apprehended, prosecuted or convicted,
516 and is a term used interchangeably with the terms "victim,"
517 "victim of trafficking" and "trafficking victim."

518 (* * *r) "Venture" means any group of two (2) or more
519 individuals associated in fact, whether or not a legal entity.

520 (* * *s) "Sexually oriented material" shall have the
521 meaning ascribed in Section 97-5-27, Mississippi Code of 1972.

522 **SECTION 5.** This act shall take effect and be in force from
523 and after its passage.

