



POLICY GOAL #1

State law should ensure any commercially sexually exploited child can be legally identified as a "child sex trafficking victim."

State ¹	Is third party control (i.e., trafficker involvement) required to identify a commercially sexually exploited child as a trafficking victim under the criminal code? ²	Relevant statute(s)
Alabama	No	Ala. Code §§ 13A-6-151(8), (9) (Definitions); 13A-6-152(a)(3) (Human trafficking in the first degree)
Alaska	Yes	Alaska Stat. §§ 11.81.900 (Definitions); 11.66.110(a) (Sex trafficking in the first degree); 11.66.137(a) (Patron of a victim of sex trafficking)
Arizona	No	Ariz. Rev. Stat. Ann. § 13-3212(B) (Child sex trafficking; classification; increased punishment; definition)
Arkansas	No	Ark. Code Ann. §§ 5-18-102(15) (Definitions); 5-18-103(a)(4) (Trafficking of persons)
California	Yes*	Cal. Penal Code § 236.1 (Human trafficking defined; punishment); Cal. Welf. & Inst. Code §§ 16524.8(a)(1), (b) (County interagency protocol); Cal. Welf. & Inst. Code § 300(b)(4) (Persons subject to jurisdiction of juvenile court)
Colorado	No	Colo. Rev. Stat. Ann. §§ 18-3-502(12) (Definitions); 18-3-504 (Human trafficking for sexual servitude – Human trafficking of a minor for sexual servitude)
Connecticut	Yes	Conn. Gen. Stat. § 53a-192a (Trafficking in persons)
Delaware	Yes*	Del. Code Ann. tit. 11, § 787(a)(28), (b)(1), (b)(4), (m)(2) (Trafficking an individual, forced labor and sexual servitude)
District of Columbia	No	D.C. Code §§ 22-1831(12) (Definitions); 22-1834 (Sex trafficking of children)
Florida	No	Fla. Stat. Ann. § 787.06(3) (Human trafficking)
Georgia	No	Ga. Code Ann. § 16-5-46(a)(8), (c) (Trafficking of persons for labor or sexual servitude)
Hawaii	Yes	Haw. Rev. Stat. Ann. § 712-1202 (Sex trafficking)
Idaho	Yes	Idaho Code Ann. § 18-8608(2) (Human sex trafficking of a child)
Illinois	No	720 Ill. Comp. Stat. Ann. 5/10-9(a)(10), (c) (Trafficking in persons, involuntary servitude, and related offense)
Indiana	No	Ind. Code Ann. §§ 35-42-3.5-0.5(a)(1), (2) (Definitions); 35-42-3.5-1.4(a) (Human trafficking)

¹ Evaluations of state laws are based on legislation enacted as of July 1, 2025. Responses do not include an analysis of case law, agency rules, regulations, or practices/initiatives that exist outside of statutory law.

² An asterisk (*) indicates that, while third party control is required under the criminal code's definition of commercially sexually exploited child, the definition of victim within the services section of the code clearly applies to all commercially sexually exploited minors for purposes of accessing services.

State ¹	Is third party control (i.e., trafficker involvement) required to identify a commercially sexually exploited child as a trafficking victim under the criminal code? ²	Relevant statute(s)
Iowa	No	Iowa Code § 710A.1(1), (4), (10), (13) (Definitions)
Kansas	No	Kan. Stat. Ann. § 21-5426(b)(5) (Human trafficking; aggravated human trafficking)
Kentucky	No	Ky. Rev. Stat. Ann. §§ 529.010(3)(a), (7)(b), (16) (Definitions); 529.110(1)(b) (Promoting human trafficking); 529.100(1)(b) (Human trafficking)
Louisiana	No	La. Rev. Stat. Ann. §§ 14:46.3 (Trafficking of children for sexual purposes); 14:46.2 (Human trafficking)
Maine	Yes	Me. Rev. Stat. Ann. tit. 17-A, § 852 (Aggravated sex trafficking)
Maryland	Yes*	Md. Code Ann., Crim. Law § 3-1102 (Human trafficking); Md. Code Ann., Fam. Law §§ 5-704.4(a)(6) (Safe harbor regional navigator grant program); 5-701(x) (Definitions)
Massachusetts	No	Mass. Gen. Laws ch. 265, § 50(a) (Human trafficking – Sexual servitude)
Michigan	No	Mich. Comp. Laws Ann. § 750.462e (Forced labor or services; prohibited conduct as relates to age of minor)
Minnesota	Yes*	Minn. Stat. Ann. §§ 609.321(7b) (Prostitution and sex trafficking definitions); 609.322(1)(a) (Solicitation, inducement, and promotion of prostitution; sex trafficking); 260C.007(31) (Definitions)
Mississippi	No	Miss. Code Ann. §§ 97-3-54.4(q) (Human trafficking act; definitions); 97-3-54.1(1)(c) (Human trafficking act; prohibited conduct; penalty)
Missouri	No	Mo. Rev. Stat. §§ 566.200(16) (Definitions); 566.211 (Sexual trafficking of a child – Penalty); 566.210 (Sexual trafficking of a child under age twelve – Affirmative defense not allowed when – Penalty)
Montana	Yes	Mont. Code Ann. §§ 45-5-701(5) (Definitions); 45-5-705 (Patronizing victim of sex trafficking)
Nebraska	No	Neb. Rev. Stat. Ann. §§ 28-830(14) (Human trafficking; forced labor or services; terms; defined); 28-831(1) (Human trafficking; forced labor or services; prohibited acts; penalties)
Nevada	No	Nev. Rev. Stat. Ann. § 201.300(2)(a)(1) (Pandering and sex trafficking; definition; penalties; exception)
New Hampshire	No	N.H. Rev. Stat. Ann. § 633:7(III-a) (Trafficking in persons)
New Jersey	Yes	N.J. Stat. Ann. §§ 2C:13-9 (Human trafficking in the second degree); 2C:13-8(a)(3) (Human trafficking)
New Mexico	No	N.M. Stat. Ann. § 30-52-1(A) (Human trafficking)
New York	Yes	N.Y. Penal Law § 230.34-A (Sex trafficking of a child)
North Carolina	No	N.C. Gen. Stat. §§ 14-43.10(a)(6) (Definitions); 14-43.13 (Sexual servitude)
North Dakota	No	N.D. Cent. Code Ann. §§ 12.1-41-01(5), (12) (Definitions); 12.1-41-06(1) (Patronizing a minor for commercial sexual activity)
Ohio	Yes	Ohio Rev. Code Ann. § 2905.32(C) (Trafficking in persons)

State ¹	Is third party control (i.e., trafficker involvement) required to identify a commercially sexually exploited child as a trafficking victim under the criminal code? ²	Relevant statute(s)
Oklahoma	No	Okla. Stat. Ann. tit. 21, § 748(A)(9), (B) (Human trafficking)
Oregon	No	Or. Rev. Stat. § 163.266(1)(c) (Trafficking in persons)
Pennsylvania	No	18 Pa. Cons. Stat. §§ 3001 (Definitions); 3011 (Trafficking in individuals); 3013(a) (Patronizing a victim of sexual servitude)
Rhode Island	No	R.I. Gen. Laws Ann. §§ 11-67.1-2(5), (14) (Definitions); 11-67.1-7(a) (Patronizing a minor for commercial sexual activity)
South Carolina	Yes	S.C. Code Ann. §§ 16-3-2010(9) (Definitions); 16-3-2020(A)(3) (Trafficking in persons; penalties; defenses)
South Dakota	No	S.D. Codified Laws § 22-49-1 (Human trafficking prohibited)
Tennessee	No	Tenn. Code Ann. § 39-13-309(a) (Trafficking for commercial sex act)
Texas	Yes	Tex. Penal Code §§ 20A.02(a) (Trafficking of persons); 20A.01(4) (Definitions)
Utah	No	Utah Code Ann. § 76-5-308.5(2) (Human trafficking of a child – Penalties)
Vermont	No	Vt. Stat. Ann. tit. 13, §§ 2651(13) (Definitions); 2652(a)(1) (Human trafficking)
Virginia	Yes*	Va. Code Ann. §§ 18.2-357.1(A) (Commercial sex trafficking; penalties); 63.2-1517(C) (Authority to take child into custody); 63.2-1506.1(A) (Sex trafficking assessments by local departments)
Washington	No	Wash. Rev. Code Ann. § 9A.40.100 (Trafficking)
West Virginia	Yes	W. Va. Code Ann. §§ 61-14-1(6), (14)(A), (15) (Definitions); 61-14-2(b) (Human trafficking of an individual; penalties)
Wisconsin	No	Wis. Stat. § 948.051(1) (Trafficking of a child)
Wyoming	Yes	Wyo. Stat. Ann. §§ 6-2-701(a)(xv) (Definitions); 6-2-702 (Human trafficking in the first degree; penalty); 6-2-703 (Human trafficking in the second degree; penalty); 6-2-707(a) (Patronizing a victim of sexual servitude)
Totals:	18 states require third party control to identify a commercially sexually exploited child as a trafficking victim under the criminal code.	