

Amendment to HB 180

1 Amend the bill by replacing section 1 with the following:

2
3 1 Interference With Freedom; Trafficking in Persons. Amend RSA 633:7, III-a to read as
4 follows:

5 III-a.(a) A person is guilty of a ~~[class-B]~~ **class A** felony if the person pays, agrees to pay, or
6 offers to pay to engage in sexual contact, as defined in RSA 632-A:1 or sexual penetration, as defined
7 in RSA 632-A:1, V with a person under the age of 18, or to observe a sexually explicit performance
8 involving a person under the age of 18. The payment or offer or agreement to pay may be made to
9 the person under the age of 18 or a third party. Neither the actor's lack of knowledge of the other
10 person's age nor consent of the other person shall constitute a defense to a charge under this
11 paragraph.

12 **(b) A person is guilty of a class B felony if the person pays, agrees to pay, or**
13 **offers to pay to engage in sexual contact, as defined in RSA 632-A:1 or sexual penetration,**
14 **as defined in RSA 632-A:1, V with a person who is 13 years of age or older and under 16**
15 **years of age and the actor is 20 years of age or under, where the age difference between the**
16 **actor and the other person is not more than 3 years. The payment or offer or agreement to**
17 **pay may be made to the person under the age of 16 or a third party. Neither the actor's**
18 **lack of knowledge of the other person's age nor consent of the other person shall constitute**
19 **a defense to a charge under this paragraph.**

Amendment to HB 180
- Page 2 -

2021-0397h

AMENDED ANALYSIS

This bill changes the penalty for a person who pays to engage in sexual contact with another person under the age of 18 who is a victim of human trafficking and inserts a lesser offense based on the age difference between the victim and the offender.