

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Trafficking Victims Protection Act is
5 amended by changing Section 15 as follows:

6 (740 ILCS 128/15)

7 (Text of Section before amendment by P.A. 100-939)

8 Sec. 15. Cause of action.

9 (a) Violations of this Act are actionable in civil court.

10 (b) A victim of the sex trade has a cause of action against
11 a person or entity who:

12 (1) recruits, profits from, or maintains the victim in
13 any sex trade act;

14 (2) intentionally abuses, as defined in Section 103 of
15 the Illinois Domestic Violence Act of 1986, or causes
16 bodily harm, as defined in Section 11-0.1 of the Criminal
17 Code of 2012, to the victim in any sex trade act; or

18 (3) knowingly advertises or publishes advertisements
19 for purposes of recruitment into sex trade activity.

20 (c) This Section shall not be construed to create liability
21 to any person or entity who provides goods or services to the
22 general public, who also provides those goods or services to
23 persons who would be liable under subsection (b) of this

1 Section, absent a showing that the person or entity either:

2 (1) knowingly markets or provides its goods or services
3 primarily to persons or entities liable under subsection
4 (b) of this Section;

5 (2) knowingly receives a higher level of compensation
6 from persons or entities liable under subsection (b) of
7 this Section than it generally receives from customers; or

8 (3) supervises or exercises control over persons or
9 entities liable under subsection (b) of this Section.

10 (Source: P.A. 96-1551, eff. 7-1-11; 97-1150, eff. 1-25-13.)

11 (Text of Section after amendment by P.A. 100-939)

12 Sec. 15. Cause of action.

13 (a) A victim of the sex trade, involuntary servitude, or
14 human trafficking may bring an action in civil court under this
15 Act.

16 (a-1) A legal guardian, agent of the victim, court
17 appointee, or, with the express written consent of the victim,
18 organization that represents the interests of or serves victims
19 may bring a cause of action on behalf of a victim. An action
20 may also be brought by a government entity responsible for
21 enforcing the laws of this State.

22 (b) A victim of the sex trade has a cause of action against
23 a person or entity who:

24 (1) recruits, profits from, or maintains the victim in
25 any sex trade act;

1 (2) intentionally abuses, as defined in Section 103 of
2 the Illinois Domestic Violence Act of 1986, or causes
3 bodily harm, as defined in Section 11-0.1 of the Criminal
4 Code of 2012, to a victim of the sex trade; or

5 (3) knowingly advertises or publishes advertisements
6 for purposes of recruitment into sex trade activity.

7 (b-1) A victim of involuntary servitude or human
8 trafficking has a cause of action against any person or entity
9 who knowingly subjects, attempts to subject, or engages in a
10 conspiracy to subject the victim to involuntary servitude or
11 human trafficking.

12 (c) This Section shall not be construed to create liability
13 to any person or entity who provides goods or services to the
14 general public, who also provides those goods or services to
15 persons who would be liable under subsection (b) of this
16 Section, absent a showing that the person or entity either:

17 (1) knowingly markets or provides its goods or services
18 primarily to persons or entities liable under subsection
19 (b) of this Section;

20 (2) knowingly receives a higher level of compensation
21 from persons or entities liable under subsection (b) of
22 this Section than it generally receives from customers; or

23 (3) supervises or exercises control over persons or
24 entities liable under subsection (b) of this Section.

25 (d) The standard of proof in any action brought under this
26 Section is a preponderance of the evidence.

1 (Source: P.A. 100-939, eff. 1-1-19.)

2 Section 95. No acceleration or delay. Where this Act makes
3 changes in a statute that is represented in this Act by text
4 that is not yet or no longer in effect (for example, a Section
5 represented by multiple versions), the use of that text does
6 not accelerate or delay the taking effect of (i) the changes
7 made by this Act or (ii) provisions derived from any other
8 Public Act.

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.