

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 590

A bill to provide remedies for the victims of human trafficking.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the "human
2 trafficking victims compensation act".

3 Sec. 2. As used in this act, "victim" means a victim of a
4 violation of chapter LXVIIIA of the Michigan penal code, 1931 PA
5 328, MCL 750.462a to 750.462h.

6 Sec. 3. (1) A person who violates chapter LXVIIIA of the
7 Michigan penal code, 1931 PA 328, MCL 750.462a to 750.462h, is
8 liable to the victim of the violation for economic and noneconomic
9 damages that result from the violation, including, but not limited
10 to, all of the following:

- 1 (a) Physical pain and suffering.
- 2 (b) Mental anguish.
- 3 (c) Fright and shock.
- 4 (d) Denial of social pleasure and enjoyments.
- 5 (e) Embarrassment, humiliation, or mortification.
- 6 (f) Disability.
- 7 (g) Disfigurement.
- 8 (h) Aggravation of a preexisting ailment or condition.
- 9 (i) Reasonable expenses of necessary medical or psychological
10 care, treatment, and services.
- 11 (j) Loss of earnings or earning capacity.
- 12 (k) Damage to property.
- 13 (l) Any other necessary and reasonable expense incurred as a
14 result of the violation.

15 (2) A victim is entitled to damages under subsection (1) to
16 the extent the victim has sustained the damages, regardless of
17 whether the victim suffered any physical injury as a result of the
18 violation.

19 (3) A victim is entitled to damages under subsection (1)
20 regardless of whether the damages sustained were foreseeable to the
21 violator.

22 (4) A victim is entitled to damages under subsection (1)
23 regardless of whether the violator was charged with or convicted of
24 a violation of chapter LXVIIA of the Michigan penal code, 1931 PA
25 328, MCL 750.462a to 750.462h.

26 Sec. 4. An action to recover damages under section 3 must be
27 filed within 3 years after the last violation that is the subject

1 of the action occurred.

2 Sec. 5. This act does not affect any right that a victim has
3 to recover damages under other law.

4 Enacting section 1. This act takes effect 90 days after the
5 date it is enacted into law.

6 Enacting section 2. This act does not take effect unless House
7 Bill No. 5234 of the 97th Legislature is enacted into law.