

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.