

Rep. Rhodes, Ches. 17
Rep. Roy, Rock. 31
March 7, 2025
2025-0811h
09/05

Amendment to HB 405

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT establishing a commission to study human trafficking within illicit massage
4 businesses and relative to prostitution and related offenses.

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6 Amend the bill by replacing all after the enacting clause with the following:

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8 1 Statement of Findings and Purpose. The general court finds that:

9 I. The New Hampshire human trafficking collaborative task force has identified trafficking
10 activity in every county, with victims of all ages experiencing exploitation in the forms of labor and
11 sex trafficking.

12 II. Law enforcement officers in New Hampshire have identified illicit massage businesses
13 (IMBs) in towns and cities across the state. IMBs are a very specific type of exploitative, organized,
14 commercial-front trafficking venue recognized by the National Human Trafficking Hotline. IMBs do
15 not refer to legal, therapeutic massage businesses, nor does it include non-coercive sex work that
16 may incorporate massage. Nationally, more than 15,000 IMBs have been identified. There is no
17 licensing oversight of IMBs in New Hampshire, making it difficult to hold traffickers accountable
18 and ensure that victims are referred to services.

19 III. National and state experts have been working to prevent human trafficking in the state
20 and hold the owners of IMBs accountable, but a more coordinated effort across sectors would help
21 better address the problem.

22 2 New Section; Commission to Study Human Trafficking Within Illicit Massage Businesses.
23 Amend RSA 633 by inserting after section 11 the following new section:

24 633:12 Commission to Study Human Trafficking Within Illicit Massage Businesses; Established.
25 There is hereby established a commission to study human trafficking within illicit massage
26 businesses.

27 I. Notwithstanding RSA 14:49, the members of the commission shall be as follows:

28 (a) Three members of the house of representatives, appointed by the speaker of the
29 house of representatives, one of whom shall be a member of the criminal justice and public safety
30 committee and one of whom shall be a member of the executive departments and administration
31 committee.

32 (b) Two members of the senate, appointed by the president of the senate.

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1 (c) The attorney general, or designee.

2 (d) The commissioner of the department of safety, or designee.

3 (e) The executive director of the New Hampshire office of professional licensure and
4 certification, or designee.

5 (f) A representative from the New Hampshire Association of Chiefs of Police, appointed
6 by the association.

7 (g) A county attorney, appointed by the New Hampshire Association of Counties.

8 (h) The executive director of the New Hampshire Municipal Association, or designee.

9 (i) The executive director of the New Hampshire Coalition Against Domestic and Sexual
10 Violence, or designee.

11 II. Legislative members of the commission shall receive mileage at the legislative rate when
12 attending to the duties of the commission.

13 III. The commission shall study:

14 (a) Prior efforts to combat human trafficking conducted by illicit massage businesses.

15 (b) Statewide and interstate collaboration to prevent the establishment of illicit massage
16 businesses.

17 (c) Best practices to support victims of human trafficking found in illicit massage
18 businesses.

19 (d) Regulation and licensure under RSA 328-H, relative to reflexologists, structural
20 integrators, and Asian bodywork therapists, and RSA 328-B relative to massage therapists and
21 massage establishments.

22 (e) Creation of a statewide database of licensure applications and issuances to
23 businesses.

24 (f) Enhancing penalties for violation of RSA 633:7 relative to trafficking in persons and
25 RSA 645:2 relative to prostitution and related offenses.

26 (g) Consumer protection and labor violations.

27 (h) Community-based approaches to preventing illicit massage businesses such as
28 landlord education and engagement and termination of leases, as well as health and safety
29 inspections.

30 (i) Preventing sexual harassment and assault against licensed massage therapists and
31 other reflexology professionals.

32 IV. The commission may solicit input from any person or entity the committee deems
33 relevant to its study.

34 V. The commission members shall be appointed within 30 days after the effective date of
35 this section.

36 VI. The members of the study commission shall elect a chairperson from among the
37 members. The first meeting of the commission shall be called by the senate member. The first

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1 meeting of the commission shall be held within 45 days of the effective date of this section. The
2 commission shall hold a minimum of 10 meetings over the course of its study. A majority of the
3 members of the commission shall constitute a quorum.

4 VII. The commission shall submit an interim report of its findings and any
5 recommendations for proposed legislation to the president of the senate, the speaker of the house of
6 representatives, the senate clerk, the house clerk, the governor, and the state library on or before
7 November 1, 2025. The commission shall submit a final report of its findings and any
8 recommendations for proposed legislation to the speaker of the house of representatives, the
9 president of the senate, the house clerk, the senate clerk, the governor, and the state library on or
10 before November 1, 2026.

11 3 New Paragraphs; Prostitution and Related Offenses. Amend RSA 645:2 by inserting after
12 paragraph II the following new paragraphs:

13 II-a. A person is guilty of a class B felony if such person knowingly permits a place under
14 such person's control to be used for violation of subparagraph I(a).

15 II-b. A person is guilty of a class A felony if such person violates the provisions of paragraph
16 II-a and the violation:

17 (a) Involves another person who is under the age of 18; or

18 (b) Involves compelling another person by force or intimidation.

19 4 Prostitution and Related Offenses. Amend RSA 645:2, VI to read as follows:

20 VI. In a prosecution under subparagraph II(a) **or II-b(a)**, the actor's lack of knowledge of
21 the other person's age shall not constitute a defense.

22 5 Prostitution and Related Offenses. Amend the introductory paragraph of RSA 645:2, II to
23 read as follows:

24 II. A person is guilty of a class B felony if such person violates the provisions of
25 subparagraphs (b), (c), (d), [~~(e)~~] or (f) of paragraph I and the violation:

26 6 Repeal. RSA 645:2, I(e), relative to a misdemeanor offense for knowingly permitting a place
27 under control to be used for certain offenses, is repealed.

28 7 Prospective Repeal. RSA 633:12, relative to the commission to study human trafficking within
29 illicit massage businesses, is repealed.

30 8 Effective Date.

31 I. Section 7 of this act shall take effect November 1, 2026.

32 II. The remainder of this act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill:

- I. Establishes a commission to study human trafficking within illicit massage businesses and provides for the commission's eventual repeal.
- II. Enhances the penalties for certain prostitution-related offenses.