

Stop Enabling Sex Traffickers Act of 2017

Section-by-Section Summary

Sec. 1: Stop Enabling Sex Trafficking Act of 2017

Sec. 2: Findings

Congress never intended for Section 230 of the Communications Decency Act to provide legal protections to websites that facilitate traffickers in advertising the sale of unlawful sex acts with sex trafficking victims.

Clarification of Section 230 is warranted to ensure that the Communications Decency Act does not provide protection to websites that facilitate traffickers in advertising the sale of unlawful sex acts with sex trafficking victims.

Sec. 3: Amends Section 230 of the Communications Decency Act to Ensure Ability to Enforce Federal and State Criminal and Civil Law Relating to Sex Trafficking

Amends Section 230 to declare that it is the policy of the U.S. to ensure vigorous enforcement of federal criminal and civil law relating to sex trafficking.

Amends Section 230 to clarify that nothing in the section should be construed to impair enforcement of any criminal or civil actions federal trafficking statutes (U.S.C. Title 18, Sections 1591 and 1595) or any state criminal prosecution or civil enforcement action targeting conduct that violates the federal criminal law prohibiting sex trafficking of children or sex trafficking by force, threat of force, fraud, or coercion.

These amendments will take effect upon enactment. The amendment on state criminal prosecution or civil enforcement actions shall apply regardless of when the alleged criminal conduct occurred.

Sec. 4: Amends the Sex Trafficking Statute, United States Code, Title 18, Section 1591 to Ensure Federal Liability for Publishing Information Designed to Facilitate Sex Trafficking or Otherwise Facilitating Sex Trafficking

Amends U.S.C. Title 18, Section 1591(e) to clarify that “participation in a venture” encompasses knowing conduct that, by any means, assists, supports, or facilitates a violation of the section.

Defining “participation in a venture” is necessary to clarify the intent of the federal sex trafficking statute in light of a recent judicial opinion in the U.S. Court of Appeals for the First Circuit. Federal law provides victims of sex trafficking the right to bring a private civil action for restitution against “whoever knowingly benefits, financially or by receiving anything of value from participation in a venture which that person knew or should have known was engaged in an act in violation of this chapter.”