STATE OF NEW YORK

11323

IN ASSEMBLY

May 11, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Rosenthal) -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to establishing the crimes of benefiting from a sex trafficking venture and aggravated benefiting from a sex trafficking venture; to amend the social services law, in relation to establishing a right of action for victims of benefiting from a sex trafficking venture; and to amend the civil practice law and rules and the judiciary law, in relation to reviving such actions otherwise barred by the existing statute of limitations, granting trial preference to such actions, and directing the chief administrator of the courts to promulgate rules for the timely adjudication of certain revived actions

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. This act shall be known and may be cited as the "trafficking survivor recovery and accountability act".

§ 2. The penal law is amended by adding two new sections 230.34-b and 230.34-c to read as follows:

§ 230.34-b Benefiting from a sex trafficking venture.

1. A person is guilty of benefiting from a sex trafficking venture by obtaining anything of value due to such person participating in what such person knew or reasonably should have known was a sex trafficking venture.

2. For the purposes of this section:

(a) "sex trafficking venture" means any one person, individually, or two or more persons associated in fact, whether or not a legal entity, engaged in conduct which is a violation of section 230.34 of this article other than paragraphs (a) and (c) of subdivision five of such section.

(b) "participating in" means to intentionally aid, assist, manage, supervise, control, finance, advertise, maintain premises for, transport for, provide security for, conceal, or otherwise materially support the carrying on of a sex trafficking venture.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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(c) "anything of value" includes but is not limited to money, financial benefit, property, services, debt forgiveness, promises of compensation, business opportunities, or any other tangible or intangible benefit.

Benefiting from a sex trafficking venture is a class C felony.

§ 230.34-c Aggravated benefiting from a sex trafficking venture.

1. A person is guilty of aggravated benefiting from a sex trafficking venture by obtaining anything of value due to such person participating in what such person knew or reasonably should have known was a sex trafficking venture.

2. For the purposes of this section:

(a) "sex trafficking venture" means any one person, individually, or two or more persons associated in fact, whether or not a legal entity, engaged in conduct which is a violation of paragraph (a) or (c) of subdivision five of section 230.34 or 230.34-a of this article.

(b) "participating in" means to intentionally aid, assist, manage, supervise, control, finance, advertise, maintain premises for, transport for, provide security for, conceal, or otherwise materially support the carrying on of a sex trafficking venture.

(c) "anything of value" includes but is not limited to money, financial benefit, property, services, debt forgiveness, promises of compensation, business opportunities, or any other tangible or intangible benefit.

Aggravated benefiting from a sex trafficking venture is a class B felony.

§ 3. Subdivision (a) of section 483-aa of the social services law, as added by chapter 74 of the laws of 2007, is amended to read as follows:

(a) "Human trafficking victim" means a person who is a victim of sex trafficking as defined in section 230.34 of the penal law, a victim of benefiting from a sex trafficking venture as defined in section 230.34-b of the penal law, a victim of aggravated benefiting from a sex trafficking venture as defined in section 230.34-c of the penal law, or a victim of labor trafficking as defined in section 135.35 of the penal law.

§ 4. Paragraph (i) of subdivision (c) of section 483-bb of the social services law, as amended by chapter 311 of the laws of 2021, is amended and two new paragraphs (viii) and (ix) are added to read as follows:

(i) (A) An individual who is a victim of the conduct prohibited by section 230.33, 230.34, 230.34-a, 230.34-b, 230.34-c, 135.35 or 135.37 of the penal law may bring a civil action against the perpetrator or [~~whoever~~] any person or entity, including but not limited to individuals, corporations, partnerships, trusts, or estates, who knowingly advances, enables, funds, or profits from, or whoever should have known [~~he or she~~] such person or entity was advancing, enabling, funding, or profiting from, an act in violation of section 230.33, 230.34, 230.34-a, 135.35 or 135.37 of the penal law or the perpetrator or any person or entity, including but not limited to individuals, corporations, partnerships, trusts, or estates, who knowingly participates in, or whoever should have known such person or entity was participating in, an act in violation of section 230.34-b or 230.34-c of the penal law to recover actual, compensatory and punitive damages, injunctive relief, any combination of those or any other appropriate relief, as well as reasonable attorney's fees. Such civil action may proceed regardless of whether the defendant was charged or convicted of a criminal offense and shall be determined under a preponderance of the evidence standard based on conduct prohibited by the enumerated sections or described in this subdivision.

(B) For the purposes of this paragraph, the term "participates in" shall mean ownership, operation, management, supervision, financing, leasing, maintaining premises, transportation, advertising, recordkeeping, security, recruitment, concealment, or otherwise materially assisting where such conduct substantially aids the sex trafficking venture.

(viii) In any action brought pursuant to this subdivision, the court may award additional punitive damages upon a showing that the defendant's conduct was willful, wanton, reckless, malicious, or in conscious disregard of the rights and safety of the plaintiff.

(ix) Notwithstanding any other provision of law to the contrary:

(A) in no action brought pursuant to this subdivision shall the death of the human trafficking victim bringing the action or the death of a person or dissolution of an entity, including but not limited to corporations, partnerships, trusts, or estates, against whom the action was brought be a defense against such action.

(B) an action may be brought pursuant to this subdivision by the personal representative, estate, successors, assignees, or distributees of a human trafficking victim.

(C) in any action brought pursuant to this subdivision against the personal representative, estate, successors, assignees, or distributees of a deceased person liable therefor, the court may award any damages, including but not limited to punitive damages, permitted under this subdivision.

§ 5. The civil practice law and rules is amended by adding a new section 214-k to read as follows:

§ 214-k. Action by certain victims of sex trafficking. Notwithstanding any provision of law which imposes a period of limitation to the contrary and the provisions of any other law pertaining to the filing of a notice of claim or a notice of intention to file a claim as a condition precedent to commencement of an action or special proceeding, every civil claim or cause of action brought against any party alleging intentional or negligent acts or omissions by a person for physical, psychological, or other injury or condition suffered as a result of conduct which would constitute benefiting from a sex trafficking venture or aggravated benefiting from a sex trafficking venture as defined in article two hundred thirty of the penal law, which is barred as of the effective date of this section because the applicable period of limitation has expired, and/or the plaintiff previously failed to file a notice of claim or a notice of intention to file a claim, is hereby revived, and action thereon may be commenced not earlier than one month after, and not later than one year after the effective date of this section. In any such claim or action, dismissal of a previous action, ordered before the effective date of this section, on grounds that such previous action was time barred, and/or for failure of a party to file a notice of claim or a notice of intention to file a claim, shall not be grounds for dismissal of a revival action pursuant to this section.

§ 6. Paragraph 7 of subdivision (a) of rule 3403 of the civil practice law and rules, as amended by chapter 203 of the laws of 2022, is amended to read as follows:

7. any action which has been revived pursuant to section two hundred fourteen-g [~~or~~], two hundred fourteen-j or two hundred fourteen-k of this chapter.

§ 7. The judiciary law is amended by adding a new section 219-f to read as follows:

§ 219-f. Rules reviving certain actions; benefiting from a sex trafficking venture. The chief administrator of the courts shall promulgate

rules for the timely adjudication of revived actions brought pursuant to section two hundred fourteen-k of the civil practice law and rules.

§ 8. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 9. This act shall take effect immediately.