

# 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:

1 Section 1. This act shall be known and may be cited as the "traffick-  
2 ing survivor recovery and accountability act".

3 § 2. The penal law is amended by adding two new sections 230.34-b and  
4 230.34-c to read as follows:

5 § 230.34-b Benefiting from a sex trafficking venture.

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

10 2. For the purposes of this section:

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

16 (b) "participating in" means to intentionally aid, assist, manage,  
17 supervise, control, finance, advertise, maintain premises for, transport  
18 for, provide security for, conceal, or otherwise materially support the  
19 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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1 (c) "anything of value" includes but is not limited to money, finan-  
2 cial benefit, property, services, debt forgiveness, promises of compen-  
3 sation, business opportunities, or any other tangible or intangible  
4 benefit.

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

6 § 230.34-c Aggravated benefiting from a sex trafficking venture.

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

11 2. For the purposes of this section:

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

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

20 (c) "anything of value" includes but is not limited to money, finan-  
21 cial benefit, property, services, debt forgiveness, promises of compen-  
22 sation, business opportunities, or any other tangible or intangible  
23 benefit.

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

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

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

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

37 (i) (A) An individual who is a victim of the conduct prohibited by  
38 section 230.33, 230.34, 230.34-a, 230.34-b, 230.34-c, 135.35 or 135.37  
39 of the penal law may bring a civil action against the perpetrator or  
40 [~~whoever~~] any person or entity, including but not limited to individ-  
41 uals, corporations, partnerships, trusts, or estates, who knowingly  
42 advances, enables, funds, or profits from, or whoever should have known  
43 [~~he or she~~] such person or entity was advancing, enabling, funding, or  
44 profiting from, an act in violation of section 230.33, 230.34, 230.34-a,  
45 135.35 or 135.37 of the penal law or the perpetrator or any person or  
46 entity, including but not limited to individuals, corporations, partner-  
47 ships, trusts, or estates, who knowingly participates in, or whoever  
48 should have known such person or entity was participating in, an act in  
49 violation of section 230.34-b or 230.34-c of the penal law to recover  
50 actual, compensatory and punitive damages, injunctive relief, any combi-  
51 nation of those or any other appropriate relief, as well as reasonable  
52 attorney's fees. Such civil action may proceed regardless of whether the  
53 defendant was charged or convicted of a criminal offense and shall be  
54 determined under a preponderance of the evidence standard based on  
55 conduct prohibited by the enumerated sections or described in this  
56 subdivision.

1 (B) For the purposes of this paragraph, the term "participates in"  
2 shall mean ownership, operation, management, supervision, financing,  
3 leasing, maintaining premises, transportation, advertising, recordkeep-  
4 ing, security, recruitment, concealment, or otherwise materially assist-  
5 ing where such conduct substantially aids the sex trafficking venture.

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

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

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

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

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

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

26 § 214-k. Action by certain victims of sex trafficking. Notwithstand-  
27 ing any provision of law which imposes a period of limitation to the  
28 contrary and the provisions of any other law pertaining to the filing of  
29 a notice of claim or a notice of intention to file a claim as a condi-  
30 tion precedent to commencement of an action or special proceeding, every  
31 civil claim or cause of action brought against any party alleging inten-  
32 tional or negligent acts or omissions by a person for physical, psycho-  
33 logical, or other injury or condition suffered as a result of conduct  
34 which would constitute benefiting from a sex trafficking venture or  
35 aggravated benefiting from a sex trafficking venture as defined in arti-  
36 cle two hundred thirty of the penal law, which is barred as of the  
37 effective date of this section because the applicable period of limita-  
38 tion has expired, and/or the plaintiff previously failed to file a  
39 notice of claim or a notice of intention to file a claim, is hereby  
40 revived, and action thereon may be commenced not earlier than one month  
41 after, and not later than one year after the effective date of this  
42 section. In any such claim or action, dismissal of a previous action,  
43 ordered before the effective date of this section, on grounds that such  
44 previous action was time barred, and/or for failure of a party to file a  
45 notice of claim or a notice of intention to file a claim, shall not be  
46 grounds for dismissal of a revival action pursuant to this section.

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

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

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

55 § 219-f. Rules reviving certain actions; benefiting from a sex traf-  
56 ficking venture. The chief administrator of the courts shall promulgate

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

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

12 § 9. This act shall take effect immediately.