



**Rules of
Elected Officials
Division 60—Attorney General
Chapter 16—Human Trafficking**

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Title 15—ELECTED OFFICIALS
Division 60—Attorney General
Chapter 16—Human Trafficking

15 CSR 60-16.010 Definitions

PURPOSE: The attorney general administers and enforces the provisions of the Merchandising Practices Act, Chapter 407, RSMo. The attorney general may make rules necessary to the administration and enforcement of the provisions of Chapter 407, RSMo, and, in order to provide notice to the public, may specify the meaning of terms, whether or not used in the Act. This rule defines certain terms used in the enforcement of the Merchandising Practices Act and in the rules made thereunder.

(1) Unless inconsistent with Chapter 407, RSMo, the following terms and phrases shall mean:

(A) “Abuse or threatened abuse of the legal process” shall mean the use or threatened use of a law or legal process, whether administrative, civil, or criminal, in any manner or for any purpose for which the law was not designed, in order to exert pressure on another person to cause that person to take some action or refrain from taking some action;

(B) “Commercial sexual conduct” shall mean any sexual conduct—as that term is defined in section 566.010(5), RSMo—on account of which anything of value is given to or received by any person;

(C) “Debt-bondage relationship” shall mean any agreement, arrangement, or other relationship between a debtor and another person or persons in which—

1. The debtor pledges his or her personal services, or the personal services of a person under his or her control, as security for a debt; and

2. The value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined;

(D) “Involuntary servitude” shall mean a condition of servitude induced by means of—

1. Any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such condition, that person or another person would suffer serious harm or physical restraint; or

2. The abuse or threatened abuse of the legal process; and

(E) “Merchandise” shall have the meaning set forth in section 407.010(4), RSMo.

AUTHORITY: section 407.145, RSMo 2016. Original rule filed April 3, 2017, effective Oct. 30, 2017.*

**Original authority: 407.145, RSMo 1986, amended 1993.*

15 CSR 60-16.020 Unlawful Debt-Bondage Relationships

PURPOSE: The attorney general administers and enforces the provisions of the Merchandising Practices Act, Chapter 407, RSMo. The attorney general may make rules necessary to the administration and enforcement of the provisions of Chapter 407, RSMo, and, in order to provide notice to the public, may specify the meaning of terms, whether or not used in the Act. This rule specifies the settled meanings of certain terms used in the enforcement of the Act and provides notice to the public of their application. This rule does not contain an exhaustive list of practices that violate the Act. Instead, this rule identifies certain specific practices that violate section 407.020, RSMo.

(1) It is an unfair, deceptive, fraudulent, and otherwise unlawful practice for any person to—

(A) Collect or attempt to collect payment of any kind pursuant to a debt-bondage relationship;

(B) Receive anything of value, including services, from a debtor—or from any person under the control of such a debtor—pursuant to a debt-bondage relationship if the recipient knows that—

1. The debtor has pledged his or her personal services, or the personal services of a person under his or her control, as security for a debt; and

2. The value of those services as reasonably assessed has not been applied toward the liquidation of the debt or the length and nature of those services has not been respectively limited and defined;

(C) Compel, coerce, or persuade any person to perform personal services pursuant to a debt-bondage relationship; or

(D) Attempt to compel, coerce, or persuade any person to perform personal services pursuant to a debt-bondage relationship.

AUTHORITY: section 407.145, RSMo 2016. Original rule filed April 3, 2017, effective Oct. 30, 2017.*

**Original authority: 407.145, RSMo 1986, amended 1993.*

15 CSR 60-16.030 Deceptively Inducing Participation in Commercial Sexual Conduct or Involuntary Servitude

PURPOSE: The attorney general administers and enforces the provisions of the Merchandising Practices Act, Chapter 407, RSMo.

The attorney general may make rules necessary to the administration and enforcement of the provisions of Chapter 407, RSMo, and, in order to provide notice to the public, may specify the meaning of terms, whether or not used in the Act. This rule specifies the settled meanings of certain terms used in the enforcement of the Act and provides notice to the public of their application. This rule does not contain an exhaustive list of practices that violate the Act. Instead, this rule identifies certain specific practices that violate section 407.020, RSMo.

(1) It is an unfair, deceptive, fraudulent, and otherwise unlawful practice for any person to offer or provide any merchandise, or to induce another person to accept any merchandise, based on the representation that the person accepting the merchandise will be offered or provided employment other than employment involving either commercial sexual conduct or involuntary servitude, if—

(A) The person offering, providing, or inducing acceptance of the service—or any person acting in concert with him or her—requests, coerces, compels, or otherwise induces the person accepting the service to participate in any commercial sexual conduct or involuntary servitude; or

(B) 1) At the time he or she offered, provided, or induced acceptance of the service, the person offering, providing, or inducing acceptance of the service knew or expected that the person accepting the service would be requested, coerced, compelled, or otherwise induced to participate in any commercial sexual conduct or involuntary servitude, and 2) The person accepting the service actually is requested, coerced, compelled, or otherwise induced to participate in any commercial sexual conduct or involuntary servitude.

(2) It is an unfair, deceptive, fraudulent, and otherwise unlawful practice to knowingly induce—either directly or indirectly—another person to engage in conduct that violates section (1), or to conspire or knowingly act in concert with any person regarding conduct that violates section (1).

AUTHORITY: section 407.145, RSMo 2016. Original rule filed April 3, 2017, effective Oct. 30, 2017.*

**Original authority: 407.145, RSMo 1986, amended 1993.*

15 CSR 60-16.040 Conducting Sex Trafficking Under False Pretenses

PURPOSE: The attorney general administers



and enforces the provisions of the Merchandising Practices Act, Chapter 407, RSMo. The attorney general may make rules necessary to the administration and enforcement of the provisions of Chapter 407, RSMo, and, in order to provide notice to the public, may specify the meaning of terms, whether or not used in the Act. This rule specifies the settled meanings of certain terms used in the enforcement of the Act and provides notice to the public of their application. This rule does not contain an exhaustive list of practices that violate the Act. Instead, this rule identifies certain specific practices that violate section 407.020, RSMo.

(1) It is an unfair, deceptive, fraudulent, and otherwise unlawful practice for any person, whether directly or indirectly, to advertise, sell, offer, or provide any merchandise if—

(A) The person advertises, sells, offers, or provides any merchandise that constitutes or involves any commercial sexual conduct; and

(B) The person does not expressly disclose that the person advertises, sells, offers, or provides the merchandise described in subsection (1)(A)—1) in all advertisements made by or on behalf of that person; 2) to all other persons with whom the person enters into any transaction involving trade or commerce; 3) in written form conspicuously displayed on the exterior of any structure in or from which the person conducts any activities relating in any way to the merchandise described in subsection (1)(A); and 4) in all filings, applications, and other representations made to any branch of state government or to any municipality, county, or other political subdivision.

(2) It is an unfair, deceptive, fraudulent, and otherwise unlawful practice for any person, whether directly or indirectly, to advertise, sell, offer, or provide any merchandise if—

(A) The merchandise constitutes or involves any commercial sexual conduct;

(B) Any individual involved in the performance or provision of the merchandise was induced, compelled, or otherwise caused to do so by means of force, abduction, coercion, fraud, deception, blackmail, actual or threatened financial harm, or a debt-bondage relationship; and

(C) The person does not expressly disclose to every other person to whom the merchandise is advertised, sold, offered, or provided that at least one (1) individual involved in the performance or provision of the merchandise was induced, compelled, or otherwise caused to do so by means of force, abduction, coercion, fraud, deception, blackmail, actual or threatened financial harm, or a debt-bondage relationship.

(3) It is an unfair, deceptive, fraudulent, and otherwise unlawful practice to knowingly induce, either directly or indirectly, another person to engage in conduct that violates section (1) or section (2), or to conspire or to knowingly, recklessly, or negligently act in concert with any person regarding conduct that violates section (1) or section (2).

(4) This rule shall not apply under the circumstances set forth in section 407.020.2(1) and (2), RSMo.

AUTHORITY: section 407.145, RSMo 2016. Original rule filed April 3, 2017, effective Oct. 30, 2017.*

**Original authority: 407.145, RSMo 1986, amended 1993.*

15 CSR 60-16.050 Conducting Labor Trafficking Under False Pretenses

PURPOSE: The attorney general administers and enforces the provisions of the Merchandising Practices Act, Chapter 407, RSMo. The attorney general may make rules necessary to the administration and enforcement of the provisions of Chapter 407, RSMo, and, in order to provide notice to the public, may specify the meaning of terms, whether or not used in the Act. This rule specifies the settled meanings of certain terms used in the enforcement of the Act and provides notice to the public of their application. This rule does not contain an exhaustive list of practices that violate the Act. Instead, this rule identifies certain specific practices that violate section 407.020, RSMo.

(1) It is an unfair, deceptive, fraudulent, and otherwise unlawful practice for any person, whether directly or indirectly, to advertise, sell, offer, or provide any merchandise if—

(A) Any individual involved in the performance or provision of the merchandise is in a condition of involuntary servitude; and

(B) The person does not expressly disclose that at least one (1) individual involved in the performance or provision of the merchandise is in a condition of involuntary servitude 1) in all advertisements made by or on behalf of that person; 2) to all other persons with whom the person enters into any transaction involving trade or commerce; 3) in written form conspicuously displayed on the exterior of any structure in or from which the person conducts any activities relating in any way to the merchandise described in subsection (1)(A); and 4) in all filings, applications, and other representations made to any branch of state government or to any municipality,

county, or other political subdivision.

(2) It is an unfair, deceptive, fraudulent, and otherwise unlawful practice to knowingly induce, either directly or indirectly, another person to engage in conduct that violates section (1), or to conspire or knowingly act in concert with any person regarding conduct that violates section (1).

(3) This rule shall apply only where the person who is in a condition of involuntary servitude resides in Missouri, is domiciled in Missouri, or performs any work or service pursuant or relating to his or her condition of involuntary servitude in Missouri.

(4) This rule shall not apply under the circumstances set forth in section 407.020.2(1) and (2), RSMo.

AUTHORITY: section 407.145, RSMo 2016. Original rule filed April 3, 2017, effective Oct. 30, 2017.*

**Original authority: 407.145, RSMo 1986, amended 1993.*