
Public Safety & Emergency Preparedness Committee

HB 1123

Brief Description: Modifying provisions relating to the sentencing or imposition of conditions for certain prostitution and sex crimes.

Sponsors: Representatives Hudgins and Hurst.

Brief Summary of Bill

- Imposes as conditions for a conviction for Prostitution, Patronizing a Prostitute, or Commercial Sexual Abuse of a Minor that the person must: (1) not be subsequently arrested for those crimes; and (2) remain outside an area designated by a local government as an area of increased prostitution activity.
- Requires local governments to post signs at the boundaries of designated areas of increased prostitution activity.
- Penalizes violation of the conditions as a misdemeanor.

Hearing Date: 1/26/11

Staff: Alexa Silver (786-7190).

Background:

Under state law, when a court sentences or imposes conditions on a person convicted of or receiving a deferred sentence or prosecution for Patronizing a Prostitute or Commercial Sexual Abuse of a Minor, the court must impose requirements that the person:

- not be later arrested for Patronizing a Prostitute or Patronizing a Juvenile Prostitute; and
- remain outside the geographic area, as specified by the court, in which the arrest occurred, unless it would interfere with the person's legitimate employment or residence or would otherwise be infeasible.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A person is guilty of Prostitution, a misdemeanor, if he or she engages or agrees to engage in sexual conduct with another person in return for a fee. A person is guilty of Patronizing a Prostitute, a misdemeanor, if he or she pays or agrees to pay a fee to engage in sexual conduct or requests that another person engage in sexual conduct for a fee. A person is guilty of Commercial Sexual Abuse of a Minor if he or she pays or agrees to pay a fee to engage in sexual conduct with a minor or requests that a minor engage in sexual conduct for a fee. Commercial Sexual Abuse of a Minor is a class B felony with a seriousness level of VIII.

In some cities, the municipal court may issue a "Stay Out of Areas of Prostitution" (SOAP) order as a probationary condition for a person convicted of an offense related to prostitution.

Summary of Bill:

When a court sentences or imposes conditions on a person convicted of or receiving a deferred sentence or prosecution for Prostitution, Patronizing a Prostitute, or Commercial Sexual Abuse of a Minor, the court must impose requirements that the person:

- not be subsequently arrested for Prostitution, Patronizing a Prostitute, or Commercial Sexual Abuse of a Minor; and
- remain outside any areas designated by a local government as an area of increased prostitution activity, unless it would interfere with the person's legitimate employment or residence or would otherwise be infeasible.

Local governments must post signs at the boundaries of designated areas of increased prostitution activity. Violation of the conditions imposed by the court is a misdemeanor.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.