

# SENATE BILL REPORT

## SB 6133

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As Reported By Senate Committee On:  
Law & Justice, January 24, 1996

**Title:** An act relating to powers of district and municipal court judges.

**Brief Description:** Making certain sentencing conditions set by local judges enforceable county-wide.

**Sponsors:** Senator Fairley.

**Brief History:**

**Committee Activity:** Law & Justice: 1/23/96, 1/24/96 [DPS].

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** That Substitute Senate Bill No. 6133 be substituted therefor, and the substitute bill do pass.

Signed by Senators Smith, Chair; Fairley, Vice Chair; Goings, Johnson, McCaslin and Schow.

**Staff:** Susan Carlson (786-7418)

**Background:** In some jurisdictions, specific areas are designated as areas of prostitution. When sentencing a defendant for a prostitution offense, the municipal or district court judge often includes a requirement that the defendant stay out of those designated areas of prostitution.

Questions have been raised as to whether a municipal judge can order a defendant to stay out of designated areas of prostitution that are outside the municipality. Also, law enforcement would like to have authority to arrest defendants they see in designated anti-prostitution areas in violation of the court order.

**Summary of Substitute Bill:** Conditions of release, suspension, or deferral by a municipal court prohibiting an offender from being present or remaining within any designated antiprostitution emphasis area may specify prohibited areas of prostitution anywhere within any county that contains any portion of the city. District courts may specify prohibited areas of prostitution anywhere within the county. The conditions may be enforced by any law enforcement officer.

**Substitute Bill Compared to Original Bill:** The substitute bill refers specifically to designated antiprostitution emphasis areas, whereas the original bill referred generally to any areas specified by the court.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The bill authorizes municipal courts to order a defendant to stay out of all designated prostitution areas in the county. This will discourage prostitution offenders from moving to a city a short distance away to avoid application of a municipal court order that only restricts their presence in prostitution areas in the city in which the court is located.

**Testimony Against:** None.

**Testified:** PRO: Senator Fairley, prime sponsor; Det. J.P. Covey, King Co. police; Robert Thompson, Des Moines Police Department.