

HOUSE BILL REPORT

HB 2008

As Reported By House Committee On:

Law & Justice

Title: An act relating to persons who patronize prostitutes.

Brief Description: Authorizing law enforcement officers to impound the vehicles of persons who are patronizing prostitutes.

Sponsors: Representatives Sheahan, Sterk, Crouse and Costa.

Brief History:

Committee Activity:

Law & Justice: 2/25/97, 2/27/97 [DPS].

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives Sheahan, Chairman; McDonald, Vice Chairman; Sterk, Vice Chairman; Costa, Ranking Minority Member; Carrell; Cody; Kenney; Lambert; Lantz; Radcliff; Sherstad and Skinner.

Minority Report: Do not pass. Signed by 1 member: Representative Constantine, Assistant Ranking Minority Member.

Staff: Edie Adams (786-7180).

Background: It is a misdemeanor offense for a person to patronize a prostitute and a class C felony for a person to patronize a juvenile prostitute.

A person is guilty of patronizing a prostitute if he or she: (1) pays a fee, under a prior understanding, as compensation for another person having engaged in sexual conduct with him or her; (2) pays a fee to another person with the understanding that the person will engage in sexual conduct; or (3) solicits another person to engage in sexual conduct in exchange for a fee.

A person is guilty of patronizing a juvenile prostitute if that person engages in or offers or agrees to engage in, sexual conduct with a minor in return for a fee.

When a law enforcement officer arrests the driver of a vehicle who is patronizing a prostitute, the officer may take custody of the vehicle and provide for its removal to a place of safety. A person whose vehicle has been impounded may redeem the vehicle by paying the costs of towing and storage. In addition, the person may request a hearing in district court to determine the validity of the impoundment.

Summary of Substitute Bill: A law enforcement officer who arrests and takes into custody a person suspected of patronizing a prostitute or patronizing a juvenile prostitute may impound the vehicle used by the person arrested in the commission of the crime if the person arrested is the owner of the vehicle. Impoundments must be performed in accordance with current law regarding towing and impoundment.

If the person arrested for patronizing a prostitute or a juvenile prostitute is not subsequently convicted of the crime, the law enforcement agency that ordered the impoundment of the person's vehicle is liable for all costs of the impoundment, including towing and storage costs.

Substitute Bill Compared to Original Bill: The original bill did not make the law enforcement agency that ordered the vehicle impoundment liable for the costs of the impoundment if the person arrested is not subsequently convicted of the crime.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This will provide law enforcement with another tool to enforce the law and deter people who are seeking to patronize a prostitute. These people cruise through neighborhoods creating traffic problems and safety concerns for residents.

Testimony Against: None.

Testified: Steve Urum, Everett Police Department (pro).