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## Public Safety Committee

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### HB 2361

**Brief Description:** Increasing access to emergency assistance for victims by providing immunity from prosecution for prostitution offenses in some circumstances.

**Sponsors:** Representatives Pellicciotti, Goodman, Stanford, Macri, Jinkins, Ormsby and Kraft.

<p style="text-align: center;"><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>• Provides immunity from prosecution for Prostitution if the evidence for the charge was obtained as a result of a person seeking emergency assistance in certain circumstances.</li></ul>
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**Hearing Date:** 1/16/18

**Staff:** Omeara Harrington (786-7136).

**Background:**

Prostitution Offenses.

A person is guilty of the crime of Prostitution if he or she engages in, agrees to engage in, or offers to engage in sexual conduct with another person in return for a fee. "Sexual conduct" includes sexual intercourse and sexual contact. Prostitution is a misdemeanor offense.

Immunity from Prosecution for Persons Seeking Emergency Medical Assistance.

Under certain circumstances, persons who could otherwise be convicted of a crime are immunized from criminal charging and prosecution if evidence of the crime is obtained due to the person seeking emergency medical assistance.

A person under the age of 21 years who is acting in good faith in seeking medical assistance for someone experiencing alcohol poisoning cannot be charged with or prosecuted for a Minor in Possession of Alcohol offense, if the evidence for the charge was obtained as a result of the person seeking medical assistance. The same immunity extends to a person who seeks medical assistance for themselves. Likewise, a person acting in good faith in seeking medical assistance

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for a person experiencing a drug-related overdose, or for himself or herself, cannot be charged with Possession of a Controlled Substance if the evidence was obtained as a result of seeking medical aid.

The immunity from prosecution afforded in these provisions does not serve as grounds for suppression of evidence in other criminal charges.

**Summary of Bill:**

A person acting in good faith who seeks emergency assistance on behalf of another person who has been a victim of any statutory violent offense, Assault in the third or fourth Degree, or Rape in the third Degree, or who seeks emergency assistance on his or her own behalf in such circumstances, may not be charged with or prosecuted for Prostitution if the evidence for the charge was obtained as a result of the person seeking emergency assistance. The protection from prosecution for Prostitution is not grounds for suppression of evidence in other criminal charges.

**Appropriation:** None.

**Fiscal Note:** Preliminary fiscal note available.

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