

# SENATE BILL REPORT

## SHB 1184

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As Reported by Senate Committee On:  
Law & Justice, March 29, 2017

**Title:** An act relating to patronizing a prostitute.

**Brief Description:** Modifying patronizing a prostitute provisions.

**Sponsors:** House Committee on Public Safety (originally sponsored by Representatives Orwall, Griffey, Klippert, McCabe, Senn, Gregerson, Pellicciotti, Jinkins, Irwin, Wylie, Kilduff, McBride, Bergquist, Fey, Smith, Stanford and Hudgins).

**Brief History:** Passed House: 2/02/17, 98-0.

**Committee Activity:** Law & Justice: 3/21/17, 3/28/17, 3/29/17 [DPA].

### Brief Summary of Amended Bill

- Expands the crime of patronizing a prostitute.
- Makes the crime subject to prosecution in the location where the communication to patronize a prostitute is either sent or received.
- Clarifies that a person may not be prosecuted twice for substantially the same crime.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass as amended.

Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Angel, Darneille, Frockt and Wilson.

**Staff:** Tim Ford (786-7423)

**Background:** A person commits the crime of patronizing a prostitute if, pursuant to an understanding, the person pays a fee or agrees to pay a fee as compensation for another person engaging in sexual conduct with that person, or if the person solicits prostitution. Sexual conduct means sexual intercourse or sexual contact. Patronizing a prostitute is a misdemeanor. The penalty for a misdemeanor is a fine of not more than \$1,000 or imprisonment for up to 90 days, or both.

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*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.*

**Summary of Amended Bill:** The crime of patronizing a prostitute may be committed in more than one location. The crime is deemed to have been committed in any location in which the defendant commits any act that constitutes part of the crime. A person who sends a communication to patronize a prostitute is considered to have committed the crime at the place from which the contact was made or where the communication is received. A person may not be prosecuted twice for substantially the same crime.

**EFFECT OF LAW & JUSTICE COMMITTEE AMENDMENT(S):**

- Clarifies that a person may not be prosecuted twice for substantially the same crime.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

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

**Staff Summary of Public Testimony on Substitute House Bill:** *The committee recommended a different version of the bill than what was heard.* PRO: This is a bi-partisan bill to address trafficking and prostitution. It would allow prosecution of patronizing a prostitute at either the location of inception of the solicitation or at the location where the crime is culminated. There is extensive litigation over whether the prosecution can be held in the location where the solicitation is sent or received. Litigation is pending at the court of appeals. This bill will clarify the law and allow prosecution in either location. Prostitution and trafficking is arraigned by internet, phone calls, and texts. Prostitution is fueled by demand and this bill will help solve a problem by giving prosecutors more options to stop crime.

**Persons Testifying:** PRO: Representative Orwall, Prime Sponsor; Doug Levy, City of Kent; Michelle Walker, City of Kent; Jeri Moomaw, WA Engage.

**Persons Signed In To Testify But Not Testifying:** No one.