

# SENATE BILL REPORT

## ESHB 1362

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As of March 24, 2009

**Title:** An act relating to conveyances used in prostitution-related offenses.

**Brief Description:** Concerning conveyances used in prostitution-related offenses.

**Sponsors:** House Committee on Judiciary (originally sponsored by Representatives Goodman, Rodne, Sullivan, Williams, Orwall, O'Brien, Kirby, Chase and Conway).

**Brief History:** Passed House: 3/06/09, 91-4.

**Committee Activity:** Judiciary: 3/24/09.

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### SENATE COMMITTEE ON JUDICIARY

**Staff:** Brandon Roché (786-7405)

**Background:** The Legislature established the Prostitution Prevention and Intervention Program in 1995 to provide programs to help people leave or avoid prostitution. The programs are funded by fees paid by those convicted of, or given deferred prosecutions for, violating prostitution-related laws. Although the fund was created in 1995, the first programs were not funded until 2008 due to the slow accumulation of funds in the account.

Prostitution-related offenses include patronizing a prostitute, promoting prostitution in the first degree, promoting prostitution in the second degree, promoting travel for prostitution, commercial sexual abuse of a minor, promoting commercial sexual abuse of a minor, and promoting travel for commercial sexual abuse of a minor.

**Summary of Bill:** A local governing authority may designate areas within which conveyances are subject to impoundment when they are used to facilitate prostitution-related offenses. The arresting law enforcement officer may impound the person's conveyance if (1) the conveyance was used in the commission of the crime; and (2) the person arrested is the owner of the conveyance.

A prior conviction of a prostitution-related offense is a requirement for impoundment if the offense was committed in an undesignated area. A prior conviction of a prostitution-related offense is not a requirement for impoundment if the offense was committed within a designated area. The designation must be based on evidence indicating that the area has a disproportionately higher number of arrests for prostitution-related offenses compared to

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other areas within the same jurisdiction of the local governing authority. The local governing authority must post signs at the boundaries of the designated areas to indicate that the area has been designated.

Prior to redeeming an impounded conveyance, the owner must pay all applicable impoundment, towing, and storage fees and an administrative fee of \$500. The administrative fee is paid to the impounding agency that issues a receipt to the owner of the conveyance. The \$500 administrative fee paid to the impounding agency must be deposited into the Prostitution Prevention and Intervention Account.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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