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**HOUSE BILL 1265**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Representatives Stearns, Taylor, Salahuddin, Richards, Davis, Obras, Ormsby, Parshley, and Hill

Read first time 01/14/25. Referred to Committee on Community Safety.

1 AN ACT Relating to commercial sexual exploitation; amending RCW  
2 9A.88.110 and 9A.88.120; creating a new section; and prescribing  
3 penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** Commercial sexual exploitation targets the  
6 most vulnerable: Women, children, and young adults, primarily in  
7 communities of poverty; indigenous communities; communities of color;  
8 foster care; and those who identify as LGBTQ+. Many exploited adults  
9 were first exploited as children. Addressing both the causes and the  
10 impacts of exploitation requires a comprehensive two-pronged  
11 approach:

12 (1) A public health system that holistically supports victims and  
13 survivors with well-resourced transition services, housing, and  
14 community-based trauma recovery services.

15 (2) Suppression and deterrence of the demand from buyers, who are  
16 the source of both most of the violence against the exploited  
17 individuals, and the enormous profits being paid to third-party  
18 exploiters.

19 The legislature intends to enhance the legal interventions  
20 available to law enforcement, courts, and the community to hold

1 buyers accountable for their role in commercial sexual exploitation  
2 while increasing resources and support for survivors.

3 **Sec. 2.** RCW 9A.88.110 and 2017 c 232 s 1 are each amended to  
4 read as follows:

5 (1) A person is guilty of (~~(patronizing a prostitute)~~) commercial  
6 sexual exploitation if:

7 (a) Pursuant to a prior understanding, he or she pays a fee or  
8 provides anything of value to another person as compensation for such  
9 person or a third person having engaged in sexual conduct with him or  
10 her; or

11 (b) He or she pays or agrees to pay a fee or provide anything of  
12 value to another person pursuant to an understanding that in return  
13 therefor such person will engage in sexual conduct with him or her;  
14 or

15 (c) He or she solicits or requests another person to engage in  
16 sexual conduct with him or her in return for a fee or providing  
17 anything of value.

18 (2) The crime of (~~(patronizing a prostitute)~~) commercial sexual  
19 exploitation may be committed in more than one location. The crime is  
20 deemed to have been committed in any location in which the defendant  
21 commits any act under subsection (1)(a), (b), or (c) of this section  
22 that constitutes part of the crime. A person who sends a  
23 communication to (~~(patronize a prostitute)~~) engage or solicit another  
24 in commercial sexual conduct is considered to have committed the  
25 crime both at the place from which the contact was made pursuant to  
26 subsection (1)(a), (b), or (c) of this section and where the  
27 communication is received, provided that this section must be  
28 construed to prohibit anyone from being prosecuted twice for  
29 substantially the same crime.

30 (3) For purposes of this section, "sexual conduct" has the  
31 meaning given in RCW 9A.88.030.

32 (4) (~~(Patronizing a prostitute)~~) Commercial sexual exploitation  
33 is a (~~(misdemeanor)~~) class C felony.

34 **Sec. 3.** RCW 9A.88.120 and 2015 c 265 s 20 are each amended to  
35 read as follows:

36 (1)(a) In addition to penalties set forth in RCW 9A.88.010 and  
37 9A.88.030, an adult offender who is either convicted or given a  
38 deferred sentence or a deferred prosecution or who has entered into a

1 statutory or nonstatutory diversion agreement as a result of an  
2 arrest for violating RCW 9A.88.010, 9A.88.030, or comparable county  
3 or municipal ordinances shall be assessed a fifty dollar fee.

4 (b) In addition to penalties set forth in RCW 9A.88.090, an adult  
5 offender who is either convicted or given a deferred sentence or a  
6 deferred prosecution or who has entered into a statutory or  
7 nonstatutory diversion agreement as a result of an arrest for  
8 violating RCW 9A.88.090 or comparable county or municipal ordinances  
9 shall be assessed a fee in the amount of:

10 (i) One thousand five hundred dollars if the defendant has no  
11 prior convictions, deferred sentences, deferred prosecutions, or  
12 statutory or nonstatutory diversion agreements for this offense;

13 (ii) Two thousand five hundred dollars if the defendant has one  
14 prior conviction, deferred sentence, deferred prosecution, or  
15 statutory or nonstatutory diversion agreement for this offense; and

16 (iii) Five thousand dollars if the defendant has two or more  
17 prior convictions, deferred sentences, deferred prosecutions, or  
18 statutory or nonstatutory diversion agreements for this offense.

19 (c) In addition to penalties set forth in RCW 9A.88.110, a person  
20 who is either convicted or given a deferred sentence or a deferred  
21 prosecution or who has entered into a statutory or nonstatutory  
22 diversion agreement as a result of an arrest for violating RCW  
23 9A.88.110 or a comparable county or municipal ordinance shall be  
24 assessed a fee in the amount of:

25 (i) (~~One thousand five hundred~~) Three thousand dollars if the  
26 defendant has no prior convictions, deferred sentences, deferred  
27 prosecutions, or statutory or nonstatutory diversion agreements for  
28 this offense;

29 (ii) (~~Two thousand five hundred~~) Five thousand dollars if the  
30 defendant has one prior conviction, deferred sentence, deferred  
31 prosecution, or statutory or nonstatutory diversion agreement for  
32 this offense; and

33 (iii) (~~Five thousand~~) Ten thousand dollars if the defendant has  
34 two or more prior convictions, deferred sentences, deferred  
35 prosecutions, or statutory or nonstatutory diversion agreements for  
36 this offense.

37 (d) In addition to penalties set forth in RCW 9A.88.070 and  
38 9A.88.080, a person who is either convicted or given a deferred  
39 sentence or a deferred prosecution or who has entered into a  
40 statutory or nonstatutory diversion agreement as a result of an

1 arrest for violating RCW 9A.88.070, 9A.88.080, or comparable county  
2 or municipal ordinances shall be assessed a fee in the amount of:

3 (i) Three thousand dollars if the defendant has no prior  
4 convictions, deferred sentences, deferred prosecutions, or statutory  
5 or nonstatutory diversion agreements for this offense;

6 (ii) Six thousand dollars if the defendant has one prior  
7 conviction, deferred sentence, deferred prosecution, or statutory or  
8 nonstatutory diversion agreement for this offense; and

9 (iii) Ten thousand dollars if the defendant has two or more prior  
10 convictions, deferred sentences, deferred prosecutions, or statutory  
11 or nonstatutory diversion agreements for this offense.

12 (2) The court shall not reduce, waive, or suspend payment of all  
13 or part of the assessed fee in this section unless it finds, on the  
14 record, that the offender does not have the ability to pay the fee in  
15 which case it may reduce the fee by an amount up to two-thirds of the  
16 maximum allowable fee.

17 (a) A superior court may, as described in RCW 9.94A.760, set a  
18 sum that the offender is required to pay on a monthly basis towards  
19 satisfying the fee imposed in this section.

20 (b) A district or municipal court may enter into a payment plan  
21 with the defendant, in which the fee assessed in this section is paid  
22 through scheduled periodic payments. The court may assess the  
23 defendant a reasonable fee for administrative services related to the  
24 operation of the payment plan.

25 (3) Fees assessed under this section shall be collected by the  
26 clerk of the court and remitted to the treasurer of the county where  
27 the offense occurred for deposit in the county general fund, except  
28 in cases in which the offense occurred in a city or town that  
29 provides for its own law enforcement, in which case these amounts  
30 shall be remitted to the treasurer of the city or town for deposit in  
31 the general fund of the city or town. Revenue from the fees must be  
32 used for local efforts to reduce the commercial sale of sex  
33 including, but not limited to, increasing enforcement of commercial  
34 sex laws.

35 (a) At least fifty percent of the revenue from fees imposed under  
36 this section must be spent on prevention, including education  
37 programs for offenders, such as john school, and rehabilitative  
38 services for victims, such as mental health and substance abuse  
39 counseling, parenting skills, training, housing relief, education,  
40 vocational training, drop-in centers, and employment counseling.

1 (b) Two percent of the revenue from fees imposed under this  
2 section shall be remitted quarterly to the department of commerce,  
3 together with a report detailing the fees assessed, the revenue  
4 received, and how that revenue was spent.

5 (c) Revenues from these fees are not subject to the distribution  
6 requirements under RCW 3.50.100, 3.62.020, 3.62.040, 10.82.070, or  
7 35.20.220.

8 (4) For the purposes of this section:

9 (a) "Statutory or nonstatutory diversion agreement" means an  
10 agreement under RCW 13.40.080 or any written agreement between a  
11 person accused of an offense listed in subsection (1) of this section  
12 and a court, county, or city prosecutor, or designee thereof, whereby  
13 the person agrees to fulfill certain conditions in lieu of  
14 prosecution.

15 (b) "Deferred sentence" means a sentence that will not be carried  
16 out if the defendant meets certain requirements, such as complying  
17 with the conditions of probation.

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