
SUBSTITUTE HOUSE BILL 2526

State of Washington

69th Legislature

2026 Regular Session

By House Community Safety (originally sponsored by Representatives Stearns, Davis, Parshley, and Leavitt)

READ FIRST TIME 02/04/26.

1 AN ACT Relating to prostitution; amending RCW 9A.88.110,
2 9A.88.120, and 9A.88.030; prescribing penalties; providing an
3 effective date; and declaring an emergency.

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

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

7 (1) A person is guilty of patronizing a ((prostitute)) person for
8 prostitution if:

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

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

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

20 (2) The crime of patronizing a ((prostitute)) person for
21 prostitution may be committed in more than one location. The crime is

1 deemed to have been committed in any location in which the defendant
2 commits any act under subsection (1)(a), (b), or (c) of this section
3 that constitutes part of the crime. A person who sends a
4 communication to patronize a ~~((prostitute))~~ person for prostitution
5 is considered to have committed the crime both at the place from
6 which the contact was made pursuant to subsection (1)(a), (b), or (c)
7 of this section and where the communication is received, provided
8 that this section must be construed to prohibit anyone from being
9 prosecuted twice for substantially the same crime.

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

12 ~~(4))~~ Patronizing a ~~((prostitute))~~ person for prostitution is a
13 gross misdemeanor, however, if the person has two or more prior
14 convictions under this section for conduct occurring after April 1,
15 2026, a violation of this section is a class C felony.

16 (4) A person who is convicted, enters into a plea agreement to a
17 reduced or different charge, is given a deferred sentence or a
18 deferred prosecution, or enters into a statutory or nonstatutory
19 diversion agreement as a result of an arrest for a violation of this
20 section or a comparable county or municipal ordinance shall be
21 assessed a fee in the amount of:

22 (a) \$3,000 if the defendant has no prior convictions, or has not
23 entered into a plea agreement to a reduced or different charge,
24 deferred sentence, deferred prosecution, or statutory or nonstatutory
25 diversion agreement for this offense;

26 (b) \$5,000 if the defendant has one prior conviction, or has
27 entered into a plea agreement to a reduced or different charge,
28 deferred sentence, deferred prosecution, or statutory or nonstatutory
29 diversion agreement for this offense; and

30 (c) \$10,000 if the defendant has two or more prior convictions,
31 or has entered into plea agreements for a reduced or different
32 charge, deferred sentences, deferred prosecutions, or statutory or
33 nonstatutory diversion agreements for this offense on two or more
34 prior occasions.

35 (5) (a) At least 98 percent of the revenue from fees generated by
36 subsection (4) of this section must be directed to community-based,
37 survivor-led organizations that provide rehabilitative services, such
38 as mental health and substance abuse counseling, parenting skills,
39 training, housing relief, education, vocational training, drop-in
40 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 (6) The court shall not reduce, waive, or suspend payment of all
9 or part of the assessed fee in this section unless it finds, on the
10 record, that the person does not have the ability to pay the fee in
11 which case it may reduce the fee by an amount up to two-thirds of the
12 maximum allowable fee.

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

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

21 (7) For the purposes of this section:

22 (a) "Sexual conduct" means "sexual intercourse" or "sexual
23 contact," both as defined in chapter 9A.44 RCW.

24 (b) "Statutory or nonstatutory diversion agreement" has the
25 meaning given in RCW 9A.88.120.

26 (c) "Deferred sentence" has the meaning given in RCW 9A.88.120.

27 **Sec. 2.** RCW 9A.88.120 and 2015 c 265 s 20 are each amended to
28 read as follows:

29 (1)(a) In addition to penalties set forth in RCW 9A.88.010 (~~and~~
30 ~~9A.88.030~~), an adult offender who is either convicted or given a
31 deferred sentence or a deferred prosecution or who has entered into a
32 statutory or nonstatutory diversion agreement as a result of an
33 arrest for violating RCW 9A.88.010 (~~(, 9A.88.030,)~~) or a comparable
34 county or municipal (~~ordinances~~) ordinance shall be assessed a
35 fifty dollar fee.

36 (b) In addition to penalties set forth in RCW 9A.88.090, an adult
37 offender who is either convicted or given a deferred sentence or a
38 deferred prosecution or who has entered into a statutory or
39 nonstatutory diversion agreement as a result of an arrest for

1 violating RCW 9A.88.090 or comparable county or municipal ordinances
2 shall be assessed a fee in the amount of:

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

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

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

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

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

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

24 ~~(iii) Five thousand dollars if the defendant has two or more
25 prior convictions, deferred sentences, deferred prosecutions, or
26 statutory or nonstatutory diversion agreements for this offense.~~

27 ~~(d))~~ In addition to penalties set forth in RCW 9A.88.070 and
28 9A.88.080, a person who is either convicted or given a deferred
29 sentence or a deferred prosecution or who has entered into a
30 statutory or nonstatutory diversion agreement as a result of an
31 arrest for violating RCW 9A.88.070, 9A.88.080, or comparable county
32 or municipal ordinances shall be assessed a fee in the amount of:

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

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

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

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

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

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

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

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

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

37 (c) Revenues from these fees are not subject to the distribution
38 requirements under RCW 3.50.100, 3.62.020, 3.62.040, 10.82.070, or
39 35.20.220.

40 (4) For the purposes of this section:

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

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

10 **Sec. 3.** RCW 9A.88.030 and 2020 c 331 s 4 are each amended to
11 read as follows:

12 (1) A person age eighteen or older is guilty of prostitution if
13 such person engages or agrees or offers to engage in sexual conduct
14 with another person in return for a fee or accepting anything of
15 value.

16 (2) For purposes of this section, "sexual conduct" means "sexual
17 intercourse" or "sexual contact," both as defined in chapter 9A.44
18 RCW.

19 (3) (~~Prostitution~~) For a first and second violation of this
20 section, law enforcement shall refer a person engaged in prostitution
21 to services, such as human trafficking, crisis intervention, housing,
22 legal aid, counseling, or treatment, including prostitution
23 prevention and intervention services, if available.

24 (4) For a third or subsequent violation of this section,
25 prostitution is a misdemeanor.

26 (5) A person who assaults a person engaged in prostitution is
27 guilty of a class C felony.

28 (6) Law enforcement shall not arrest a person for prostitution
29 when law enforcement is:

30 (a) Responding to a person engaged in prostitution who is
31 reporting the commission of any other crime; or

32 (b) Investigating any other crime.

33 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
34 preservation of the public peace, health, or safety, or support of
35 the state government and its existing public institutions, and takes
36 effect April 1, 2026.

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