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SECOND REPRINT

A.B. 182

ASSEMBLY BILL NO. 182—ASSEMBLYMEN TOLLES, ROBERTS,
HARDY, YEAGER, O’NEILL; BILBRAY-AXELROD, HANSEN,
KASAMA, KRASNER, MARZOLA AND NGUYEN

FEBRUARY 26, 2021

JOINT SPONSORS: SENATORS PICKARD;
SEEVERS GANSERT AND SPEARMAN

Referred to Committee on Judiciary

SUMMARY—Revises the elements of the crime of advancing
prostitution. (BDR 15-744)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to crimes; revising the elements of the crime of
advancing prostitution; and providing other matters
pertaining thereto.

Legislative Counsel’s Digest:

1 Under existing law, a person is guilty of the crime of advancing prostitution if
2 the person owns, leases, operates, controls or manages any business or private
3 property and: (1) knows or should know that illegal prostitution is being conducted
4 at the business or upon such private property; (2) knows or should know that one or
5 more prostitutes engaging in such illegal prostitution are victims of involuntary
6 servitude; and (3) fails to take reasonable steps to abate such illegal prostitution
7 within 30 days after the person knows or should know about such illegal
8 prostitution. (NRS 201.395) This bill revises the elements of the crime of
9 advancing prostitution by: (1) providing that a person who owns, leases, operates,
10 controls or manages any business or private property is guilty of the crime if the
11 person knows that illegal prostitution is being conducted at the business or upon
12 such private property because the person has been notified, in writing, by a law
13 enforcement agency of at least one incident of illegal prostitution that occurred at
14 the business or upon such private property, including notice that the illegal
15 prostitution may result in prosecution for pandering or sex trafficking, but fails to
16 take reasonable steps to abate such illegal prostitution within 30 days after receipt
17 of such written notice; (2) removing the elements of the crime relating to
18 involuntary servitude; and (3) removing from the list of actions deemed to be



19 reasonable steps to abate illegal prostitution the promotion of ongoing education for
20 employees about illegal prostitution.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 201.395 is hereby amended to read as follows:
2 201.395 1. A person who owns, leases, operates, controls or
3 manages any business or private property ~~and who:~~ *is guilty of*
4 *advancing prostitution if the person:*

5 (a) Knows ~~or should know~~ that illegal prostitution is being
6 conducted at the business or upon such private property ~~;~~

7 ~~— (b) Knows or should know that one or more prostitutes engaging~~
8 ~~in such illegal prostitution are victims of involuntary servitude as~~
9 ~~described in NRS 200.463;~~ *because the person has been notified,*
10 *in writing, by a law enforcement agency of at least one incident of*
11 *illegal prostitution that occurred at the business or upon such*
12 *private property;*

13 **(b) Receives notice pursuant to paragraph (a) that the illegal**
14 **prostitution may result in prosecution for pandering or sex**
15 **trafficking pursuant to NRS 201.300 or facilitating sex trafficking**
16 **pursuant to NRS 201.301; and**

17 (c) Fails to take reasonable steps to abate such illegal
18 prostitution within 30 days after the date on which the person
19 ~~knows the circumstances set forth in paragraphs (a) and (b),~~
20 ~~is guilty of advancing prostitution.~~ *receives such written notice*
21 *from the law enforcement agency.*

22 2. Unless a greater penalty is provided by specific statute, a
23 person who is guilty of advancing prostitution shall be punished for
24 a category C felony as provided in NRS 193.130.

25 3. For the purposes of this section, a person who owns, leases,
26 operates, controls or manages any business or private property shall
27 be deemed ~~;~~

28 ~~(a) To know that illegal prostitution is being conducted at the~~
29 ~~business or upon the private property of the person if a law~~
30 ~~enforcement agency has notified the person who owns, leases,~~
31 ~~operates, controls or manages the business or private property, in~~
32 ~~writing, of at least three incidents of illegal prostitution that~~
33 ~~occurred at the business or upon the private property of the person~~
34 ~~within a period of 180 consecutive days.~~

35 ~~(b) To know that one or more prostitutes engaging in such~~
36 ~~illegal prostitution are victims of involuntary servitude as described~~
37 ~~in NRS 200.463 if, in light of all the surrounding facts and~~
38 ~~circumstances which are known to the person at the time, a~~



1 ~~reasonable person would believe, under those facts and~~
2 ~~circumstances, that one or more prostitutes engaging in such illegal~~
3 ~~prostitution are victims of involuntary servitude as described in~~
4 ~~NRS 200.463.~~

5 ~~—(e) To~~ *to* have taken reasonable steps to abate ~~[such]~~ illegal
6 prostitution if the person has:

7 ~~[(1)]~~ *(a)* Filed a report of such illegal prostitution with a law
8 enforcement agency;

9 ~~[(2)]~~ *(b)* Allowed a law enforcement agency to conduct
10 surveillance or an unrestricted undercover operation;

11 ~~[(3) Promoted ongoing education about such illegal~~
12 ~~prostitution for employees;]~~ or

13 ~~[(4)]~~ *(c)* Used any other available legal means to abate such
14 illegal prostitution.

15 *4. Any action taken to abate illegal prostitution pursuant to*
16 *this section must comply with any other applicable law of this*
17 *State, including, without limitation, the provisions of chapters*
18 *118A and 118C of NRS.*



