

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 HOUSE BILL 2160

By: Nollan

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5
6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending
8 21 O.S. 2011, Section 1031, which relate to
9 soliciting prostitution; providing penalty for
10 certain offense; and providing an effective date.

11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1031, is
13 amended to read as follows:

14 Section 1031. A. Except as provided in subsection B ~~or~~, C, D
15 or E of this section, any person violating any of the provisions of
16 Section 1028, paragraph 1, 3 or 4 of subsection A of Section 1029 or
17 1030 of this title shall, upon conviction, be guilty of a
18 misdemeanor and, ~~upon conviction, shall be punished~~ punishable by
19 imprisonment in the county jail for not less than thirty (30) days
20 nor more than one (1) year or by fines as follows: a fine of not
21 more than Two Thousand Five Hundred Dollars (\$2,500.00) upon the
22 first conviction for violation of any of such provisions, a fine of
23 not more than Five Thousand Dollars (\$5,000.00) upon the second
24 conviction for violation of any of such provisions, and a fine of

1 not more than Seven Thousand Five Hundred Dollars (\$7,500.00) upon
2 the third or subsequent convictions for violation of any of such
3 provisions, or by both such imprisonment and fine. In addition, the
4 court may require a term of community service of not less than forty
5 (40) nor more than eighty (80) hours. The court in which any such
6 conviction is had shall notify the county superintendent of public
7 health of such conviction.

8 B. Any person who engages in an act of prostitution with
9 knowledge that ~~they are~~ he or she is infected with the human
10 immunodeficiency virus shall, upon conviction, be guilty of a felony
11 punishable by imprisonment in the custody of the Department of
12 Corrections for not more than five (5) years.

13 C. Any person who engages in an act of child prostitution, as
14 defined in Section 1030 of this title, shall, upon conviction, be
15 guilty of a felony punishable by imprisonment in the custody of the
16 Department of Corrections for not more than ten (10) years and by
17 fines as follows: a fine of not more than Five Thousand Dollars
18 (\$5,000.00) upon the first conviction, a fine of not more than Ten
19 Thousand Dollars (\$10,000.00) upon the second conviction, and a fine
20 of not more than Fifteen Thousand Dollars (\$15,000.00) upon the
21 third or subsequent convictions.

22 D. Any person violating any of the provisions of Section 1028,
23 1029 or 1030 of this title within one thousand (1,000) feet of a
24 school or church shall, upon conviction, be guilty of a felony ~~and,~~

1 ~~upon conviction, shall be punished~~ punishable by imprisonment in the
2 custody of the Department of Corrections for not more than five (5)
3 years or by fines as follows: a fine of not more than Two Thousand
4 Five Hundred Dollars (\$2,500.00) upon the first conviction for
5 violation of any of such provisions, a fine of not more than Five
6 Thousand Dollars (\$5,000.00) upon the second conviction for
7 violation of any of such provisions, and a fine of not more than
8 Seven Thousand Five Hundred Dollars (\$7,500.00) upon the third or
9 subsequent convictions for violation of any of such provisions, or
10 by both such imprisonment and fine. In addition, the court may
11 require a term of community service of not less than forty (40) nor
12 more than eighty (80) hours. The court in which any such conviction
13 is had shall notify the county superintendent of public health of
14 such conviction.

15 E. Any person violating paragraph 2 of subsection A of Section
16 1029 of this title shall, upon conviction, be guilty of a
17 misdemeanor punishable by imprisonment in the custody of the county
18 jail for a term of not less than six (6) months and a fine of not
19 less than Two Thousand Five Hundred Dollars (\$2,500.00).

20 SECTION 2. This act shall become effective November 1, 2017.

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22 56-1-6188 GRS 01/18/17

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