STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

HOUSE BILL NO. 2178 BY: ROACH

AS INTRODUCED

AN ACT RELATING TO CRIMES AND PUNISHMENTS; AMENDING 21 O.S. 1991, SECTIONS 1028, 1029 AND 1030, WHICH RELATE TO PROSTITUTION; MODIFYING PROVISIONS RELATED TO PURPOSE OF SUCH OFFENSE; SPECIFYING INTENT; MODIFYING CERTAIN DEFINITIONS RELATING TO PROSTITUTION; ADDING TO SUCH DEFINITIONS; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 1028, is amended to read as follows:

Section 1028. It shall be unlawful in the State of Oklahoma:

(a) To keep, set up, maintain, or operate any house, place, building, other structure, or part thereof, or vehicle, trailer, or other conveyance ~~for the purpose~~ <u>with the intent of committing an act</u> of prostitution, lewdness, or assignation;

(b) To knowingly own any house, place, building, other structure, or part thereof, or vehicle, trailer, or other conveyance used ~~for the purpose~~ <u>with the intent of committing an act</u> of lewdness, assignation, or prostitution, or to let, lease, or rent, or contract to let, lease, or rent any such place, premises, or conveyance, or part thereof, to another with knowledge or reasonable

cause to believe that the intention of the lessee or rentee is to use such place, premises, or conveyance for prostitution, lewdness, or assignation;

(c) To offer, or to offer to secure, another ~~for the purpose~~ with the intent of having such person commit an act of prostitution, or ~~for~~ with the intent of having such person commit any other lewd or indecent act;

(d) To receive or to offer or agree to receive any person into any house, place, building, other structure, vehicle, trailer, or other conveyance ~~for the purpose~~ with the intent of committing an act of prostitution, lewdness, or assignation, or to permit any person to remain there ~~for such purpose~~ with such intent;

(e) To direct, take, or transport, or to offer or agree to take or transport, or aid or assist in transporting, any person to any house, place, building, other structure, vehicle, trailer, or other conveyance, or to any other person with knowledge or having reasonable cause to believe that the ~~purpose~~ intent of such directing, taking or transporting is prostitution, lewdness or assignation;

(f) To knowingly accept, receive, levy, or appropriate any money or other thing of value without consideration from a prostitute or from the proceeds of any woman engaged in prostitution.

SECTION 2. AMENDATORY 21 O.S. 1991, Section 1029, is amended to read as follows:

Section 1029. It shall further be unlawful:

(a) To engage in prostitution, lewdness, or assignation;

(b) To solicit, induce, entice, or procure another to commit an act of lewdness, assignation, or prostitution, with himself or herself;

(c) To reside in, enter, or remain in any house, place, building, or other structure, or to enter or remain in any vehicle,

trailer, or other conveyance ~~for the purpose~~ with the intent of committing an act of prostitution, lewdness, or assignation;

(d) To aid, abet, or participate in the doing of any of the acts herein prohibited.

SECTION 3. AMENDATORY 21 O.S. 1991, Section 1030, is amended to read as follows:

Section 1030. ~~The term "prostitution" as~~ As used in ~~this act shall be construed to include~~ the Oklahoma Statutes, unless otherwise provided for by law:

1. "Prostitution" means:

a. the giving or receiving of the body for sexual intercourse ~~for hire, and shall also be construed to include the giving or receiving of the body for indiscriminate sexual intercourse without hire. That the term "lewdness" shall be construed to include the making of any appointment or engagement for prostitution or lewdness or any act in furtherance of such appointment or engagement~~, fellatio, cunnilingus, masturbation, anal intercourse or lewdness with any person not his or her spouse, in exchange for money or any other thing of value,

b. the making of any appointment or engagement for sexual intercourse, fellatio, cunnilingus, masturbation, anal intercourse or lewdness with any person not his or her spouse, in exchange for money or any other thing of value, or

c. any act in furtherance of such appointment or engagement;

2. "Anal intercourse" means contact between human beings of the genital organs of one and the anus of another;

3. "Cunnilingus" means any act of oral stimulation of the vulva or clitoris;

4. "Fellatio" means any act of oral stimulation of the penis;

5. "Lewdness" means:

a. any lascivious, lustful or licentious conduct,

b. the making of any appointment or engagement for any lascivious, lustful or licentious conduct or prostitution, or

c. any act in furtherance of any appointment or engagement for any lascivious, lustful or licentious conduct or prostitution; and

6. "Masturbation" means stimulation of the genital organs by manual or other bodily contact exclusive of sexual intercourse.

SECTION 4. This act shall become effective September 1, 1992.

43-2-7513 MCD