

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 HOUSE BILL 2597

By: Peterson

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5  
6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending  
8 21 O.S. 2011, Sections 1029, as amended by Section 2,  
Chapter 59, O.S.L. 2013 and 1030 (21 O.S. Supp. 2013,  
9 Section 1029), which relate to the crime of  
10 prostitution; modifying age limitation; revising  
11 certain definition; and providing an effective date.

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

14 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1029, as  
15 amended by Section 2, Chapter 59, O.S.L. 2013 (21 O.S. Supp. 2013,  
16 Section 1029), is amended to read as follows:

17 Section 1029. A. It shall further be unlawful:

- 18 1. To engage in prostitution, lewdness, or assignation;
- 19 2. To solicit, induce, entice, or procure another to commit an  
20 act of lewdness, assignation, or prostitution, with himself or  
21 herself;
- 22 3. To reside in, enter, or remain in any house, place,  
23 building, or other structure, or to enter or remain in any vehicle,  
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1 trailer, or other conveyance with the intent of committing an act of  
2 prostitution, lewdness, or assignation; or

3 4. To aid, abet, or participate in the doing of any of the acts  
4 prohibited in paragraph 1, 2 or 3 of this subsection.

5 B. Any prohibited act described in paragraph 1, 2, 3 or 4 of  
6 subsection A of this section committed with a person under ~~sixteen~~  
7 ~~(16)~~ eighteen (18) years of age shall be deemed child prostitution,  
8 as defined in Section 1030 of this title, and shall be punishable as  
9 provided in Section 1031 of this title.

10 C. In any prosecution of a person sixteen (16) or seventeen  
11 (17) years of age for an offense described in subsection A of this  
12 section, there shall be a presumption that the actor was coerced  
13 into committing such offense by another person in violation of the  
14 human trafficking provisions set forth in Section 748 of this title.

15 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1030, is  
16 amended to read as follows:

17 Section 1030. As used in the Oklahoma Statutes, unless  
18 otherwise provided for by law:

19 1. "Prostitution" means:

20 a. the giving or receiving of the body for sexual  
21 intercourse, fellatio, cunnilingus, masturbation, anal  
22 intercourse or lewdness with any person not his or her  
23 spouse, in exchange for money or any other thing of  
24 value, or

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

6           2. "Child prostitution" means prostitution or lewdness as  
7 defined in this section with a person under ~~sixteen (16)~~ eighteen  
8 (18) years of age, in exchange for money or any other thing of  
9 value;

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

12           4. "Cunnilingus" means any act of oral stimulation of the vulva  
13 or clitoris;

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

15           6. "Lewdness" means:

16           a. any lascivious, lustful or licentious conduct,

17           b. the giving or receiving of the body for indiscriminate  
18 sexual intercourse, fellatio, cunnilingus,  
19 masturbation, anal intercourse, or lascivious, lustful  
20 or licentious conduct with any person not his or her  
21 spouse, or

22           c. any act in furtherance of such conduct or any  
23 appointment or engagement for prostitution; and  
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1       7. "Masturbation" means stimulation of the genital organs by  
2 manual or other bodily contact exclusive of sexual intercourse.

3       SECTION 3. This act shall become effective November 1, 2014.

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