

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 COMMITTEE SUBSTITUTE
4 FOR
5 HOUSE BILL NO. 1146

By: Kern

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to crimes and punishments; amending
9 21 O.S. 2011, Section 1031, which relates to
10 penalties for prostitution offenses; expanding scope
11 of certain crime; and providing an effective date.

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

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

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

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

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

23 D. Any person violating any of the provisions of Section 1028,
24 or 1029 ~~or 1030~~ of this title within one thousand (1,000) feet of a

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

15 SECTION 2. This act shall become effective November 1, 2015.

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17 55-1-7044 GRS 02/25/15
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