

1 ENGROSSED HOUSE  
2 BILL NO. 3025

By: Pae and Bush of the House

3 and

4 Montgomery of the Senate

5  
6  
7 [ crimes and punishments - penalties for  
8 prostitution-related offenses - effective date ]  
9

10  
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 of  
15 this section, any person violating any of the provisions of Section  
16 1028, or 1029 ~~or 1030~~ of this title shall, upon conviction, be  
17 guilty of a misdemeanor ~~and, upon conviction, shall be punished~~  
18 punishable by imprisonment in the county jail for not less than  
19 thirty (30) days nor more than one (1) year, or by fines as follows:  
20 a fine of not more than Two Thousand Five Hundred Dollars  
21 (\$2,500.00) upon the first conviction for violation of any of such  
22 provisions, and a fine of not more than Five Thousand Dollars  
23 (\$5,000.00) upon the second conviction for violation of any of such  
24 provisions, ~~and a fine of not more than Seven Thousand Five Hundred~~

1 ~~Dollars (\$7,500.00) upon the third or subsequent convictions for~~  
2 ~~violation of any of such provisions,~~ or by both such imprisonment  
3 and fine. Upon the third or subsequent convictions for violating  
4 any of the provisions of Section 1028 or 1029 of this title, the  
5 person shall be guilty of a felony punishable by imprisonment in the  
6 custody of the Department of Corrections for not more than five (5)  
7 years, or a fine of not more than Ten Thousand Dollars (\$10,000.00),  
8 or by both such imprisonment and fine. In addition, the court may  
9 require a term of community service of not less than forty (40) nor  
10 more than eighty (80) hours. The court in which any such conviction  
11 is had shall notify the county superintendent of public health of  
12 such conviction.

13 B. Any person who engages in an act of prostitution with  
14 knowledge that they are infected with the human immunodeficiency  
15 virus (HIV) shall be guilty of a felony punishable by imprisonment  
16 in the custody of the Department of Corrections for not more than  
17 five (5) years.

18 C. Any person who engages in an act of child prostitution, as  
19 defined in Section 1030 of this title, shall, upon conviction, be  
20 guilty of a felony punishable by imprisonment in the custody of the  
21 Department of Corrections for not more than ten (10) years, and by  
22 fines as follows: a fine of not more than Five Thousand Dollars  
23 (\$5,000.00) upon the first conviction, a fine of not more than Ten  
24 Thousand Dollars (\$10,000.00) upon the second conviction, and a fine

1 of not more than Fifteen Thousand Dollars (\$15,000.00) upon the  
2 third or subsequent convictions.

3 D. ~~Any~~ Except as provided in subsection C of this section, any  
4 person violating any of the provisions of Section 1028~~7~~ or 1029 ~~or~~  
5 ~~1030~~ of this title within one thousand (1,000) feet of a school or  
6 church shall, upon conviction, be guilty of a felony ~~and, upon~~  
7 ~~conviction, shall be punished~~ punishable by imprisonment in the  
8 custody of the Department of Corrections for not more than five (5)  
9 years, or by fines as follows: a fine of not more than Two Thousand  
10 Five Hundred Dollars (\$2,500.00) upon the first conviction for  
11 violation of any of such provisions, a fine of not more than Five  
12 Thousand Dollars (\$5,000.00) upon the second conviction for  
13 violation of any of such provisions, and a fine of not more than  
14 Seven Thousand Five Hundred Dollars (\$7,500.00) upon the third or  
15 subsequent convictions for violation of any of such provisions, or  
16 by both such imprisonment and fine. In addition, the court may  
17 require a term of community service of not less than forty (40) nor  
18 more than eighty (80) hours. The court in which any such conviction  
19 is had shall notify the county superintendent of public health of  
20 such conviction.

21 SECTION 2. This act shall become effective November 1, 2020.  
22  
23  
24

1 Passed the House of Representatives the 10th day of March, 2020.

2  
3 \_\_\_\_\_  
4 Presiding Officer of the House  
of Representatives

5 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2020.

6  
7  
8 \_\_\_\_\_  
9 Presiding Officer of the Senate