

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

HOUSE BILL 1786

By: Pae

AS INTRODUCED

An Act relating to crimes and punishments; amending
21 O.S. 2011, Section 1031, which relates to
penalties for prostitution-related offenses;
increasing penalty for certain prohibited acts;
updating certain statutory reference; and providing
an effective date.

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

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

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

1 (\$5,000.00) upon the second conviction for violation of any of such
2 provisions, ~~and a fine of not more than Seven Thousand Five Hundred~~
3 ~~Dollars (\$7,500.00) upon the third or subsequent convictions for~~
4 ~~violation of any of such provisions,~~ or by both such imprisonment
5 and fine. Upon the third or subsequent convictions for violating
6 any of the provisions of Section 1028 or 1029 of this title, the
7 person shall be guilty of a felony punishable by imprisonment in the
8 custody of the Department of Corrections for not more than five (5)
9 years, or a fine of not more than Ten Thousand Dollars (\$10,000.00),
10 or 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 B. Any person who engages in an act of prostitution with
16 knowledge that they are infected with the human immunodeficiency
17 virus (HIV) shall be guilty of a felony punishable by imprisonment
18 in the custody of the Department of Corrections for not more than
19 five (5) years.

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

1 Thousand Dollars (\$5,000.00) upon the first conviction, a fine of
2 not more than Ten Thousand Dollars (\$10,000.00) upon the second
3 conviction, and a fine of not more than Fifteen Thousand Dollars
4 (\$15,000.00) upon the third or subsequent convictions.

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

SECTION 2. This act shall become effective November 1, 2021.

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