

BILL SUMMARY
1st Session of the 58th Legislature

Bill No.:	HB 1786
Version:	FA2
Request Number:	7655
Author:	Rep. Pae
Date:	3/1/2021
Impact:	Exact impact dependent; budget neutral anticipated

Research Analysis

FA2 to HB 1786 increases the punishment for a third or subsequent offense of maintaining a house of prostitution or engaging in prostitution to a felony punishable by up to five years imprisonment, a fine of not more than \$10,000 or both fine and imprisonment. The measure increases the fine for a third or subsequent conviction if within 1,000 feet of a school to \$10,000.

The Floor Substitute removes references to Title 21, Section 1029 in Subsections A & D. Removes “prostitution of a child” and reverts back to old language of “child prostitution”. Adds Subsection E, paragraphs 1 & 2 – separate penalties for Title 21, Section 1029 crimes.

Prepared By: Brad Wolgamott

Fiscal Analysis

HB 1786 increases the punishment for third and subsequent violations of maintaining houses of prostitution, trafficking persons for prostitution, and engaging in or soliciting prostitution from a misdemeanor to a felony and from a fine of not more than \$7,500 to a fine of not more than \$10,000.

The floor substitute for HB 1786 clarifies the references of new punishments to existing crimes. It also adds the provision that if violations occur within 1,000 feet of a school or church, the violation is punishable by a felony. It further provides that upon conviction courts are required to notify county superintendents of public health of such convictions.

The measure adds a felony and potentially increases incarceration costs borne by the Department of Corrections. The current average yearly cost to incarcerate a person is \$26,615.80, or \$72.92 per day. The measure also increases fine amounts. The exact impact of the measure would depend on the actual amount of convictions and punishments imposed. The measure is anticipated to be budget neutral.

Prepared By: Clayton Mayfield

Other Considerations

None.

