| 1 | SENATE FLOOR VERSION April 15, 2025 |
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| 2 | AS AMENDED |
| 3 | ENGROSSED HOUSE |
| 4 | BILL NO. 1861 By: Roberts and Ford of the House |
| 5 | and |
| 6 | Weaver of the Senate |
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| 9 | [crimes and punishments - Oklahoma Law on Obscenity |
| 10 | and Child Pornography - prostitution-related offense - 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. 2021, Section 1031, as |
| 15 | last amended by Section 2, Chapter 267, O.S.L. 2024 (21 O.S. Supp. |
| 16 | 2024, Section 1031), is amended to read as follows: |
| 17 | Section 1031. A. Except as provided in subsection B, C, D, or |
| 18 | E of this section, any person violating any of the provisions of |
| 19 | paragraph 1, 2, 3, or 5 of subsection A of Section 1029 or Section |
| 20 | 1030 of this title shall, upon conviction, be guilty of a |
| 21 | misdemeanor and shall be punished by imprisonment in the county jail |
| 22 | for not less than thirty (30) days nor more than one (1) year or by |
| 23 | fines as follows: a fine not more than Two Thousand Five Hundred |
| 24 | Dollars (\$2,500.00) upon the first conviction for violation of any |
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1 of such provisions, a fine not more than Five Thousand Dollars (\$5,000.00) upon the second conviction for violation of any of such 2 provisions, and a fine not more than Seven Thousand Five Hundred 3 Dollars (\$7,500.00) upon the third or subsequent convictions for 4 5 violation of any of such provisions, or by both such imprisonment and fine. In addition, the court may require a term of community 6 service not less than forty (40) nor more than eighty (80) hours. 7 The court in which any such conviction is had shall notify the 8 9 county superintendent of public health of such conviction.

B. Any person who engages in an act of prostitution with knowledge that he or she is infected with the human immunodeficiency virus shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for not more than five (5) years.

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 quilty 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 not more than Five Thousand Dollars 19 (\$5,000.00) upon the first conviction, a fine not more than Ten 20 Thousand Dollars (\$10,000.00) upon the second conviction, and a fine 21 not more than Fifteen Thousand Dollars (\$15,000.00) upon the third 22 or subsequent convictions. 23

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

E. Any person violating paragraph 4 of subsection A of Section
1029 of this title shall, upon conviction, be guilty of a felony and
shall be punished in accordance with the provisions of <u>paragraphs 1</u>,
20 <u>2, and 4 of</u> subsection B of Section 1040.57 of this title.
21 SECTION 2. This act shall become effective November 1, 2025.
22 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY

April 15, 2025 - DO PASS AS AMENDED

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