

2009 -- H 5044

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2009

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A N A C T

RELATING TO CRIMINAL OFFENSES - PROSTITUTION AND LEWDNESS

Introduced By: Representatives Giannini, E Coderre, Melo, Gemma, and Fellela

Date Introduced: January 08, 2009

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 11-34 of the General Laws entitled "Prostitution and Lewdness" is  
2 hereby amended by adding thereto the following sections:

3 11-34-12. Prostitution. -- (a) A person is guilty of prostitution when such person  
4 engages or agrees or offers to engage in sexual conduct with another person in return for a fee.  
5 Any person found guilty under this section shall be deemed guilty of a misdemeanor and shall be  
6 subject to imprisonment for a term not exceeding six (6) months, or to a fine of not less than two  
7 hundred fifty dollars (\$250) nor more than one thousand dollars (\$1,000), or both.

8 (b) Any person found guilty of a subsequent offense under this section shall be subject to  
9 imprisonment for a term of not more than one year, or a fine of not less than five hundred dollars  
10 (\$500) nor more than one thousand dollars (\$1,000), or both.

11 (c) Any proceeds derived directly from a violation of this section are subject to seizure  
12 and forfeiture and further proceedings shall be had for their forfeiture as is prescribed by law in  
13 chapter 21 of title 12.

14 11-34-13. Procurement of sexual acts for a fee. -- (a) A person is guilty of procuring or  
15 attempting to procure sexual acts for the payment of a fee if they engage or seek to engage in  
16 sexual acts for any type of fee and/or pay or agree to pay any type of fee for sexual acts,  
17 regardless of the time, place or location of the procurement, attempted procurement, payment,  
18 attempted payment or act. Any person found guilty under this section shall be deemed guilty of a  
19 misdemeanor and shall be subject to imprisonment for a term not exceeding six (6) months, or to

1 a fine of not less than two hundred fifty dollars (\$250) nor more than one thousand dollars  
2 (\$1,000), or both.

3 (b) Any person found guilty of a subsequent offense under this section shall be subject to  
4 imprisonment for a term not exceeding one year, or a fine of not less than five hundred dollars  
5 (\$500) nor more than one thousand dollars (\$1,000), or both.

6 **11-34-14. Permitting prostitution.** -- (a) A person is guilty of permitting prostitution  
7 when, having possession or control of premises which he or she knows are being used for  
8 prostitution purposes, he or she fails to make reasonable effort to halt or abate such use. Any  
9 person found guilty under this section shall be deemed guilty of a misdemeanor and shall be  
10 subject to imprisonment for a term not exceeding six (6) months, or to a fine of not less than two  
11 hundred fifty dollars (\$250) nor more than one thousand dollars (\$1,000), or both.

12 (b) Any person found guilty of a subsequent offense under this section shall be subject to  
13 imprisonment for a term of not more than one year, or a fine of not less than five hundred dollars  
14 (\$500) nor more than one thousand dollars (\$1,000), or both.

15 (c) Any proceeds derived directly from a violation of this section are subject to seizure  
16 and forfeiture and further proceedings shall be had for their forfeiture as is prescribed by law in  
17 chapter 21 of title 12.

18 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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1           This act would define the crime of prostitution to include any location, would create  
2           punishments for individuals who would attempt to procure the services of a prostitute, and would  
3           define the crime of permitting prostitution within a premise.

4           This act would take effect upon passage.

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