

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

A Bill

HOUSE BILL 1019

5 By: Representative Glidewell
6 By: Senator Altes
7
8

For An Act To Be Entitled

10 AN ACT TO INCREASE THE PENALTIES FOR PROSTITUTION
11 AND RELATED OFFENSES; AND FOR OTHER PURPOSES.
12

Subtitle

14 AN ACT TO INCREASE THE PENALTIES FOR
15 PROSTITUTION AND RELATED OFFENSES.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 5-70-102 is amended to read as follows:
21 5-70-102. Prostitution.

22 (a) A person commits prostitution if in return for or in expectation
23 of a fee he or she engages in or agrees or offers to engage in sexual
24 activity with any other person.

25 (b)(1) Except as provided in subdivision (b)(2) of this section,
26 prostitution ~~Prostitution~~ is a Class B misdemeanor for the first offense and
27 a Class A misdemeanor for second and subsequent offenses.

28 (2) Prostitution is a Class D felony for the fourth and
29 subsequent offenses if at least four (4) offenses under this section are
30 committed within five (5) years.
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32 SECTION 2. Arkansas Code § 5-70-103 is amended to read as follows:
33 5-70-103. Patronizing a prostitute.

34 (a) A person commits the offense of patronizing a prostitute if he or
35 she:

36 (1) Pays or agrees to pay a fee to another person on an



1 understanding that in return that person or a third person will engage in
2 sexual activity with him or her; or

3 (2) Solicits or requests another person to engage in sexual
4 activity with him or her in return for a fee.

5 (b) Patronizing a prostitute is a:

6 (1) Class B misdemeanor for the first offense; ~~and~~

7 (2) Class A misdemeanor for second and subsequent offenses, ~~and~~
8 except as provided in subdivision (b)(3) of this section; and

9 (3) Class D felony for the fourth and subsequent offenses if at
10 least four (4) offenses under this section are committed within five (5)
11 years.

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13 SECTION 3. Arkansas Code § 5-70-105 is amended to read as follows:

14 5-70-105. Promoting prostitution in the second degree.

15 (a) A person commits the offense of promoting prostitution in the
16 second degree if he or she knowingly advances prostitution or profits from
17 prostitution by managing, supervising, controlling, or owning, either alone
18 or in association with others, a house of prostitution or a prostitution
19 enterprise involving two (2) or more prostitutes.

20 (b) Promoting prostitution in the second degree is a:

21 (1) Class A misdemeanor, except as provided in subdivision
22 (b)(2) of this section; and

23 (2) Class D felony for the fourth and subsequent offenses if at
24 least four (4) offenses under this section are committed within five (5)
25 years.

26 (c) Real property used in the commission of at least four (4) offenses
27 under this section within five (5) years may be forfeited under § 5-64-
28 505(a)(7).

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30 SECTION 4. Arkansas Code § 5-70-106 is amended to read as follows:

31 5-70-106. Promoting prostitution in the third degree.

32 (a) A person commits the offense of promoting prostitution in the
33 third degree if:

34 (1) Having a possessory or proprietary interest in premises that
35 he or she knows are being used for prostitution, he or she fails to make
36 reasonable effort to halt or abate such use; or

1 (2) He or she knowingly advances prostitution or profits from
2 prostitution.

3 (b) Promoting prostitution in the third degree is a:

4 (1) Class B misdemeanor, except as provided in subdivision
5 (b)(2) of this section; and

6 (2) Class D felony for the fourth and subsequent offenses if at
7 least four (4) offenses under this section are committed within five (5)
8 years.

9 (c) Real property used in the commission of at least four (4) offenses
10 under this section within five (5) years may be forfeited under § 5-64-
11 505(a)(7).

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