

2010 SESSION

INTRODUCED

10101184D

HOUSE BILL NO. 170

Offered January 13, 2010

Prefiled January 6, 2010

A *BILL to amend and reenact § 18.2-350 of the Code of Virginia, relating to penalty for prostitution.*

Patron—Pogge

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-350 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-350. Confinement of convicted prostitutes and punishment for persons violating §§ 18.2-346 through 18.2-349.

A. Every person convicted of being a prostitute and every person convicted of violating any of the provisions of §§ 18.2-347 through 18.2-349 ~~shall be~~ is guilty of a Class 1 misdemeanor; provided, however, that in any case in which a city or county farm or hospital is available for the confinement of persons so convicted, confinement may be in such farm or hospital, in the discretion of the court or judge.

B. Any person convicted of violating any of the provisions of §§ 18.2-346 through 18.2-349, when it is alleged in the warrant, indictment, or information on which he is convicted, and admitted, or found by the jury or judge before whom he is tried, that he has been before convicted of a violation of any of the provisions of §§ 18.2-346 through 18.2-349 or any offense deemed or punished as prostitution, or of any substantially similar offense in any other jurisdiction, regardless of whether the prior convictions were misdemeanors, felonies, or a combination thereof, shall be confined in jail not less than 30 days; and for a third, or any subsequent conviction of any such offense, is guilty of a Class 6 felony.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$660,210 for periods of imprisonment in state adult correctional facilities and is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.

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