

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 18.2-346 of the Code of Virginia, relating to solicitation of a minor for*
3 *prostitution; penalty.*

4 [H 1606]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 18.2-346 of the Code of Virginia is amended and reenacted as follows:**8 **§ 18.2-346. Prostitution; commercial sexual conduct; commercial exploitation of a minor;**
9 **penalties.**10 A. Any person who, for money or its equivalent, (i) commits adultery, fornication, or any act in
11 violation of § 18.2-361, or (ii) offers to commit adultery, fornication, or any act in violation of
12 § 18.2-361 and thereafter does any substantial act in furtherance thereof, ~~shall be~~ is guilty of being a
13 prostitute, or prostitution, which ~~shall be~~ is punishable as a Class 1 misdemeanor.14 B. Any person who offers money or its equivalent to another for the purpose of engaging in sexual
15 acts as enumerated ~~above~~ in subsection A and thereafter does any substantial act in furtherance thereof
16 ~~shall be~~ is guilty of solicitation of prostitution and ~~shall be guilty of~~, which is punishable as a Class 1
17 misdemeanor. *However, any person who solicits prostitution from a minor (i) 16 years of age or older*
18 *is guilty of a Class 6 felony or (ii) younger than 16 years of age is guilty of a Class 5 felony.*19 **2. That the provisions of this act may result in a net increase in periods of imprisonment or**
20 **commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot**
21 **be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter**
22 **3 of the Acts of Assembly of 2012, Special Session I, requires the Virginia Criminal Sentencing**
23 **Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4, the estimated**
24 **amount of the necessary appropriation cannot be determined for periods of commitment to the**
25 **custody of the Department of Juvenile Justice.**

ENROLLED

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