INTRODUCED

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SENATE BILL NO. 1015

Offered January 9, 2013

Prefiled January 8, 2013

A BILL to amend and reenact § 18.2-346 of the Code of Virginia, relating to solicitation of a minor for prostitution; penalty.

Patron—Howell

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-346 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-346. Prostitution; commercial sexual conduct; commercial exploitation of a minor; penalties.

A. Any person who, for money or its equivalent, *(i)* commits adultery, fornication, or any act in violation of § 18.2-361~~,~~ or *(ii)* offers to commit adultery, fornication, or any act in violation of § 18.2-361 and thereafter does any substantial act in furtherance thereof~~,~~ ~~shall be~~ *is* guilty of ~~being a prostitute, or~~ prostitution, which ~~shall be~~ *is* punishable as a Class 1 misdemeanor.

B. Any person who offers money or its equivalent to another for the purpose of engaging in sexual acts as enumerated ~~above~~ *in subsection A* and thereafter does any substantial act in furtherance thereof ~~shall be~~ *is* guilty of solicitation of prostitution ~~and shall be guilty of~~, *which is punishable as* a Class 1 misdemeanor. *However, any person who solicits prostitution from a minor (i) 16 years of age or older is guilty of a Class 6 felony or (ii) younger than 16 years of age is guilty of a Class 5 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 cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 3 of the Acts of Assembly of 2012, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of $50,000. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

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