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HOUSE BILL NO. 701

Offered January 13, 2010

Prefiled January 12, 2010

A *BILL to amend and reenact § 18.2-346 of the Code of Virginia, relating to anti-prostitution community service program for first offenders.*

Patron—Bulova

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. Being a prostitute or prostitution.

A. Any person who, for money or its equivalent, commits adultery, fornication or any act in violation of § 18.2-361, or 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 guilty of being a prostitute, or prostitution, which shall be 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 and thereafter does any substantial act in furtherance thereof shall be guilty of solicitation of prostitution and shall be guilty of a Class 1 misdemeanor.

C. *The judge or court trying the case of any person found guilty for the first time of violating subsection B, with the concurrence of the Commonwealth, shall condition any sentence, fine, or suspended sentence upon participation by such person in an anti-prostitution community service program if such program has been established by a local law-enforcement or probation agency. Such program shall be approved by the attorney for the Commonwealth. The cost of participation ordered by the judge or court shall be paid by the defendant and shall be in addition to any fines or costs ordered to be paid.*

INTRODUCED

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