

2023 SESSION

INTRODUCED

23103490D

SENATE BILL NO. 1377

Offered January 11, 2023

Prefiled January 11, 2023

A *BILL to amend and reenact § 18.2-346.01 of the Code of Virginia, relating to prostitution; solicitation; penalties.*

Patron—Vogel

Referred to Committee on the Judiciary

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-346.01 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-346.01. Prostitution; solicitation; commercial exploitation of a minor; penalties.

A. Any person who offers money or its equivalent to another for the purpose of engaging in sexual acts enumerated in § 18.2-346 and thereafter does any substantial act in furtherance thereof is guilty of solicitation of prostitution, which is punishable as a Class 1 misdemeanor, *except as provided in subsections B and C.*

B. ~~However, any~~ 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.

C. *Any person who commits a third or subsequent offense under subsection A 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 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2022, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, 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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