

725.1 Prostitution.

1. *a.* Except as provided in paragraph “*b*”, a person who sells or offers for sale the person’s services as a partner in a sex act commits an aggravated misdemeanor.

b. If the person who sells or offers for sale the person’s services as a partner in a sex act is under the age of eighteen, the county attorney may elect, in lieu of filing a petition alleging that the person has committed a delinquent act, to refer that person to the department of human services for the possible filing of a petition alleging that the person is a child in need of assistance.

c. If the person who sells or offers for sale the person’s services as a partner in a sex act is under the age of eighteen, upon the expiration of two years following the person’s conviction for a violation of paragraph “*a*” or of a similar local ordinance, the person may petition the court to expunge the conviction, and if the person has had no other criminal convictions, other than local traffic violations or simple misdemeanor violations of [chapter 321](#) during the two-year period, the conviction shall be expunged as a matter of law. The court shall enter an order that the record of the conviction be expunged by the clerk of the district court. Notwithstanding [section 692.2](#), after receipt of notice from the clerk of the district court that a record of conviction for a violation of paragraph “*a*” has been expunged, the record of conviction shall be removed from the criminal history data files maintained by the department of public safety.

2. *a.* Except as provided in paragraph “*b*”, a person who purchases or offers to purchase another person’s services as a partner in a sex act commits an aggravated misdemeanor.

b. A person who purchases or offers to purchase services as a partner in a sex act from a person who is under the age of eighteen commits a class “D” felony.

[C97, §4943; C24, 27, 31, 35, 39, §13173; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, §724.1; C79, 81, §725.1]

[2014 Acts, ch 1097, §6](#); [2015 Acts, ch 30, §195](#)

Referred to in [§232.68](#), [§321.375](#), [§725.2](#), [§911.2A](#), [§911.3](#)

Subsection 1, paragraph c amended