

**House File 2254 - Introduced**

HOUSE FILE 2254  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 588)

**A BILL FOR**

1 An Act relating to the offenses of prostitution and pimping and  
2 minors and providing penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 232.2, subsection 6, Code 2014, is  
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *r.* Who is allowed, permitted, or encouraged  
4 by an adult having influence or control of the child to engage  
5 in acts prohibited pursuant to section 725.1.

6 Sec. 2. Section 725.1, Code 2014, is amended to read as  
7 follows:

8 **725.1 Prostitution.**

9 1. A Except as provided in subsection 2, a person who sells  
10 or offers for sale the person's services as a partner in a sex  
11 act, or who purchases or offers to purchase such services,  
12 commits an aggravated misdemeanor.

13 2. If the person who sells or offers for sale the person's  
14 services as a partner in a sex act is under the age of eighteen  
15 and reasonable grounds exist to believe that the influence  
16 or control of an adult contributed to the commission of the  
17 offense, the county attorney may elect, in lieu of prosecution,  
18 to refer the person to the department of human services  
19 alleging that the person is a child in need of assistance  
20 pursuant to section 232.2, subsection 6.

21 Sec. 3. Section 725.2, Code 2014, is amended to read as  
22 follows:

23 **725.2 Pimping.**

24 1. A person who solicits a patron for a prostitute, or who  
25 knowingly takes or shares in the earnings of a prostitute, or  
26 who knowingly furnishes a room or other place to be used for  
27 the purpose of prostitution, whether for compensation or not,  
28 commits a class "D" felony.

29 2. A person who solicits a patron for a prostitute who is  
30 under the age of eighteen, or who knowingly takes or shares in  
31 the earnings of a prostitute who is under the age of eighteen,  
32 or who knowingly furnishes a room or other place to be used for  
33 the purposes of prostitution of a prostitute who is under the  
34 age of eighteen, whether for compensation or not, commits a  
35 class "C" felony.

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EXPLANATION

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The inclusion of this explanation does not constitute agreement with  
the explanation's substance by the members of the general assembly.

3

4 This bill relates to minors and the offenses of prostitution  
5 and pimping and provides penalties.

6 Current law provides that a person who sells or offers for  
7 sale the person's services as a partner in a sex act, or who  
8 purchases or offers to purchase such services, commits an  
9 aggravated misdemeanor under Code section 725.1 (prostitution).

10 The bill provides that if the person is under the age of 18  
11 and reasonable grounds exist to believe that the influence  
12 or control of an adult contributed to the commission of the  
13 offense, the county attorney may elect, in lieu of prosecution,  
14 to refer the person to the department of human services  
15 alleging that the person is a child in need of assistance. The  
16 bill makes a conforming change to the definition of "child in  
17 need of assistance" under Code section 232.2, subsection 6.

18 Current law provides that a person who solicits a patron for  
19 a prostitute, or who knowingly takes or shares in the earnings  
20 of a prostitute, or who knowingly furnishes a room or other  
21 place to be used for the purpose of prostitution, whether for  
22 compensation or not, commits a class "D" felony under Code  
23 section 725.2 (pimping). The bill provides that a person who  
24 violates the law with respect to a prostitute who is under the  
25 age of 18, commits a class "C" felony.

26 A class "C" felony is punishable by confinement for no more  
27 than 10 years and a fine of at least \$1,000 but not more than  
28 \$10,000. A person convicted of pimping in violation of Code  
29 section 725.2 if the offense was committed against a minor or  
30 otherwise involves a minor and if a determination is made that  
31 the offense was sexually motivated pursuant to Code section  
32 692A.126 is required to register as a tier I sex offender under  
33 Code section 692A.102.