

House Study Bill 588 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON BALTIMORE)

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.

1

EXPLANATION

2

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.