

House File 2254 - Reprinted

HOUSE FILE 2254
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 588)

(As Amended and Passed by the House February 25, 2014)

A BILL FOR

1 An Act relating to the offenses of prostitution and pimping and
2 minors, human trafficking, 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. A Except as provided in paragraph "b", a person who
10 sells or offers for sale the person's services as a partner in
11 a sex act commits an aggravated misdemeanor. ~~r~~

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

20 c. If the person who sells or offers for sale the person's
21 services as a partner in a sex act is under the age of eighteen,
22 upon the expiration of two years following the person's
23 conviction for a violation of paragraph "a" or of a similar
24 local ordinance, the person may petition the court to expunge
25 the conviction, and if the person has had no other criminal
26 convictions, other than local traffic violations or simple
27 misdemeanor violations of chapter 321 during the two-year
28 period, the conviction shall be expunged as a matter of
29 law. The court shall enter an order that the record of the
30 conviction be expunged by the clerk of the district court.
31 Notwithstanding section 692.2, after receipt of notice from
32 the clerk of the district court that a record of conviction
33 has been expunged for a violation of paragraph "a", the record
34 of conviction shall be removed from the criminal history data
35 files maintained by the department of public safety.

1 2. a. Except as provided in paragraph "b", a person who
2 purchases or offers to purchase ~~such~~ another person's services,
3 as a partner in a sex act commits an aggravated misdemeanor.

4 b. A person who purchases or offers to purchase services as
5 a partner in a sex act from a person fifteen years of age or
6 younger commits a class "D" felony.

7 Sec. 3. Section 725.2, Code 2014, is amended to read as
8 follows:

9 **725.2 Pimping.**

10 1. A person who solicits a patron for a prostitute, or who
11 knowingly takes or shares in the earnings of a prostitute, or
12 who knowingly furnishes a room or other place to be used for
13 the purpose of prostitution, whether for compensation or not,
14 commits a class "D" felony.

15 2. A person who solicits a patron for a prostitute who is
16 under the age of eighteen, or who knowingly takes or shares in
17 the earnings of a prostitute who is under the age of eighteen,
18 or who knowingly furnishes a room or other place to be used for
19 the purposes of prostitution of a prostitute who is under the
20 age of eighteen, whether for compensation or not, commits a
21 class "C" felony.

22 Sec. 4. Section 808B.3, Code 2014, is amended by adding the
23 following new subsection:

24 NEW SUBSECTION. 6. A felony offense involving human
25 trafficking in violation of chapter 710A.