

1 ENGROSSED HOUSE
2 BILL NO. 1861

By: Roberts and Ford of the
House

3 and

4 Weaver of the Senate
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8 An Act relating to crimes and punishments; amending
9 21 O.S. 2021, Section 1031, as last amended by
10 Section 2, Chapter 267, O.S.L. 2024 (21 O.S. Supp.
11 2024, Section 1031), which relates to the Oklahoma
Law on Obscenity and Child Pornography; providing
statutory reference for prostitution-related offense;
and providing an effective date.

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15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1031, as
17 last amended by Section 2, Chapter 267, O.S.L. 2024 (21 O.S. Supp.
18 2024, Section 1031), is amended to read as follows:

19 Section 1031. A. Except as provided in subsection B, C, D, or
20 E of this section, any person violating any of the provisions of
21 paragraph 1, 2, 3, or 5 of subsection A of Section 1029 or Section
22 1030 of this title shall, upon conviction, be guilty of a
23 misdemeanor and shall be punished by imprisonment in the county jail
24 for not less than thirty (30) days nor more than one (1) year or by

1 fines as follows: a fine not more than Two Thousand Five Hundred
2 Dollars (\$2,500.00) upon the first conviction for violation of any
3 of such provisions, a fine not more than Five Thousand Dollars
4 (\$5,000.00) upon the second conviction for violation of any of such
5 provisions, and a fine not more than Seven Thousand Five Hundred
6 Dollars (\$7,500.00) upon the third or subsequent convictions for
7 violation of any of such provisions, or by both such imprisonment
8 and fine. In addition, the court may require a term of community
9 service not less than forty (40) nor more than eighty (80) hours.
10 The court in which any such conviction is had shall notify the
11 county superintendent of public health of such conviction.

12 B. Any person who engages in an act of prostitution with
13 knowledge that he or she is infected with the human immunodeficiency
14 virus shall, upon conviction, be guilty of a felony punishable by
15 imprisonment in the custody of the Department of Corrections for not
16 more than five (5) years.

17 C. Any person who engages in an act of child prostitution as
18 defined in Section 1030 of this title shall, upon conviction, be
19 guilty of a felony punishable by imprisonment in the custody of the
20 Department of Corrections for not more than ten (10) years and by
21 fines as follows: a fine not more than Five Thousand Dollars
22 (\$5,000.00) upon the first conviction, a fine not more than Ten
23 Thousand Dollars (\$10,000.00) upon the second conviction, and a fine
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1 not more than Fifteen Thousand Dollars (\$15,000.00) upon the third
2 or subsequent convictions.

3 D. Any person violating any of the provisions of Section 1029
4 or 1030 of this title within one thousand (1,000) feet of a school
5 or church shall, upon conviction, be guilty of a felony and shall be
6 punished by imprisonment in the custody of the Department of
7 Corrections for not more than five (5) years or by fines as follows:
8 a fine not more than Two Thousand Five Hundred Dollars (\$2,500.00)
9 upon the first conviction for violation of any of such provisions, a
10 fine not more than Five Thousand Dollars (\$5,000.00) upon the second
11 conviction for violation of any of such provisions, and a fine not
12 more than Seven Thousand Five Hundred Dollars (\$7,500.00) upon the
13 third or subsequent convictions for violation of any of such
14 provisions, or by both such imprisonment and fine. In addition, the
15 court may require a term of community service not less than forty
16 (40) nor more than eighty (80) hours. The court in which any such
17 conviction is had shall notify the county superintendent of public
18 health of such conviction.

19 E. Any person violating paragraph 4 of subsection A of Section
20 1029 of this title shall, upon conviction, be guilty of a felony and
21 shall be punished in accordance with the provisions of paragraph 1,
22 2, and 4 of subsection B of Section 1040.57 of this title.

23 SECTION 2. This act shall become effective November 1, 2025.
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1 Passed the House of Representatives the 3rd day of March, 2025.

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4 Presiding Officer of the House
5 of Representatives

6 Passed the Senate the ____ day of _____, 2025.

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9 Presiding Officer of the Senate