

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 869

By: Hamilton

AS INTRODUCED

An Act relating to prostitution; amending 21 O.S. 2021, Section 1031, as last amended by Section 2, Chapter 267, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1031), which relates to punishment for violations; modifying penalty provisions for certain offense; creating felony offense; providing for penalties; updating statutory language and reference; and providing an effective date.

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

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

Section 1031. A. 1. ~~Except as provided in subsection B, C, D, or E of this section, any~~ Any person violating any of the provisions of paragraph ~~1, 2, 3, or 5 of subsection A of Section 1029 or~~ ~~Section 1030~~ of this title shall, upon conviction, be guilty of a misdemeanor ~~and shall be punished~~ punishable by imprisonment in the county jail for not less than thirty (30) days nor more than one (1) year ~~or~~, by fines as follows: a fine not more than Two Thousand Five Hundred Dollars (\$2,500.00) upon the first conviction ~~for~~

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

11 2. Any person violating any of the provisions of paragraph 1 of
12 subsection A of Section 1029 of this title shall, upon conviction,
13 be guilty of a felony punishable by imprisonment in the custody of
14 the Department of Corrections for not more than two (2) years, by
15 finest as follows: a fine not more than One Thousand Dollars
16 (\$1,000.00) upon the first conviction, a fine not more than One
17 Thousand Five Hundred Dollars (\$1,500.00) upon the second
18 conviction, and a fine not more than Three Thousand Dollars
19 (\$3,000.000) upon the third or subsequent convictions, or by both
20 such imprisonment and fine.

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

3 C. Any person who engages in an act of child ~~prostitution~~ sex
4 trafficking as ~~defined~~ provided in Section ~~1030~~ 1029 of this title
5 shall, upon conviction, be guilty of a felony punishable by
6 imprisonment in the custody of the Department of Corrections for not
7 more than ten (10) years and by fines as follows: a fine not more
8 than Five Thousand Dollars (\$5,000.00) upon the first conviction, a
9 fine not more than Ten Thousand Dollars (\$10,000.00) upon the second
10 conviction, and a fine not more than Fifteen Thousand Dollars
11 (\$15,000.00) upon the third or subsequent convictions.

12 D. Any person violating any of the provisions of Section 1029
13 ~~or 1030~~ of this title within one thousand (1,000) feet of a school
14 or church shall, upon conviction, be guilty of a felony ~~and shall be~~
15 ~~punished~~ punishable by imprisonment in the custody of the Department
16 of Corrections for not more than five (5) years or by fines as
17 follows: a fine not more than Two Thousand Five Hundred Dollars
18 (\$2,500.00) upon the first conviction ~~for violation of any of such~~
19 ~~provisions~~, a fine not more than Five Thousand Dollars (\$5,000.00)
20 upon the second conviction ~~for violation of any of such provisions~~,
21 and a fine not more than Seven Thousand Five Hundred Dollars
22 (\$7,500.00) upon the third or subsequent convictions ~~for violation~~
23 ~~of any of such provisions~~, or by both such imprisonment and fine.
24 In addition, the court may require a term of community service not

1 less than forty (40) nor more than eighty (80) hours. The court in
2 which any such conviction is had shall notify the county
3 superintendent of public health of such conviction.

4 E. Any person violating paragraph 4 of subsection A of Section
5 1029 of this title shall, upon conviction, be guilty of a felony and
6 shall be punished in accordance with the provisions of subsection B
7 of Section 1040.57 of this title.

8 SECTION 2. This act shall become effective November 1, 2025.

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