

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1861

By: Roberts

6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending  
8 21 O.S. 2021, Section 1031, as last amended by  
9 Section 2, Chapter 267, O.S.L. 2024 (21 O.S. Supp.  
10 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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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1031, as

14 last amended by Section 2, Chapter 267, O.S.L. 2024 (21 O.S. Supp.  
15 2024, Section 1031), is amended to read as follows:

16 Section 1031. A. Except as provided in subsection B, C, D, or  
17 E of this section, any person violating any of the provisions of  
18 paragraph 1, 2, 3, or 5 of subsection A of Section 1029 or Section  
19 1030 of this title shall, upon conviction, be guilty of a  
20 misdemeanor and shall be punished by imprisonment in the county jail  
21 for not less than thirty (30) days nor more than one (1) year or by  
22 fines as follows: a fine not more than Two Thousand Five Hundred  
23 Dollars (\$2,500.00) upon the first conviction for violation of any

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

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

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

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

17       E. Any person violating paragraph 4 of subsection A of Section  
18 1029 of this title shall, upon conviction, be guilty of a felony and  
19 shall be punished in accordance with the provisions of paragraph 1,  
20 2, and 4 of subsection B of Section 1040.57 of this title.

21       SECTION 2. This act shall become effective November 1, 2025.  
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23       60-1-11703           GRS           12/31/24  
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