

**COMMITTEE AMENDMENT**

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3157 \_\_\_\_\_  
 \_\_\_\_\_ Of the printed Bill  
 Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
 \_\_\_\_\_ Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Amendment submitted by: Eric Roberts

Adopted: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

PROPOSED COMMITTEE  
SUBSTITUTE  
FOR  
HOUSE BILL NO. 3157

By: Roberts

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to prostitution; amending 21 O.S. 2021, Sections 1028 and 1031, as amended by Section 2, Chapter 265, O.S.L. 2023 (21 O.S. Supp. 2023, Section 1031), which relate to prostitution offenses and related penalties; specifying penalties and fine amounts for certain offenses; providing limitations on prison terms; updating internal statutory references; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2021, Section 1028, is amended to read as follows:

Section 1028. A. It shall be unlawful in the State of Oklahoma:

~~(a)~~ 1. To keep, set up, maintain, or operate any house, place, building, other structure, or part thereof, or vehicle, trailer, or other conveyance with the intent of committing an act of prostitution, lewdness, or assignation;

1       ~~(b)~~ 2. To knowingly own any house, place, building, other  
2 structure, or part thereof, or vehicle, trailer, or other conveyance  
3 used with the intent of committing an act of lewdness, assignation,  
4 or prostitution, or to let, lease, or rent, or contract to let,  
5 lease, or rent any such place, premises, or conveyance, or part  
6 thereof, to another with knowledge or reasonable cause to believe  
7 that the intention of the lessee or rentee is to use such place,  
8 premises, or conveyance for prostitution, lewdness, or assignation;

9       ~~(e)~~ 3. To offer, or to offer to secure, another with the intent  
10 of having such person commit an act of prostitution, or with the  
11 intent of having such person commit any other lewd or indecent act;

12       ~~(d)~~ 4. To receive or to offer or agree to receive any person  
13 into any house, place, building, other structure, vehicle, trailer,  
14 or other conveyance with the intent of committing an act of  
15 prostitution, lewdness, or assignation, or to permit any person to  
16 remain there with such intent;

17       ~~(e)~~ 5. To direct, take, or transport, or to offer or agree to  
18 take or transport, or aid or assist in transporting, any person to  
19 any house, place, building, other structure, vehicle, trailer, or  
20 other conveyance, or to any other person with knowledge or having  
21 reasonable cause to believe that the intent of such directing,  
22 taking or transporting is prostitution, lewdness or assignation;

23       ~~(f)~~ 6. To knowingly accept, receive, levy, or appropriate any  
24 money or other thing of value without consideration from a

1 prostitute or from the proceeds of any ~~woman~~ person engaged in  
2 prostitution; or

3 ~~(g)~~ 7. To knowingly abet the crime of prostitution by allowing  
4 a house, place, building, or parking lot to be used or occupied by a  
5 person who is soliciting, inducing, enticing, or procuring another  
6 to commit an act of lewdness, assignation, or prostitution or who is  
7 engaging in prostitution, lewdness, or assignation on the premises  
8 of the house, place, building, or parking lot.

9 B. Any person who violates the provisions of this section  
10 shall, upon conviction, be guilty of a felony punishable by  
11 imprisonment in the Department of Corrections for a term of not less  
12 than sixty (60) days and not more than five (5) years, and by a fine  
13 as follows:

14 1. Not more than Five Thousand Dollars (\$5,000.00) upon the  
15 first conviction;

16 2. Not more than Ten Thousand Dollars (\$10,000.00) upon the  
17 second conviction; and

18 3. Not more than Fifteen Thousand Dollars (\$15,000.00) upon the  
19 third or subsequent conviction.

20 C. Any person who violates the provisions of this section where  
21 the victim of the offense is under eighteen (18) years of age at the  
22 time of the offense shall, upon conviction, be guilty of a felony  
23 punishable by imprisonment in the custody of the Department of  
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1 Corrections for a term not less than one hundred twenty (120) days  
2 and not more than twenty (20) years, and by a fine as follows:

3 1. Not more than Ten Thousand Dollars (\$10,000.00) upon the  
4 first conviction;

5 2. Not more than Twenty Thousand Dollars (\$20,000.00) upon the  
6 second conviction; and

7 3. Not more than Thirty Thousand Dollars (\$30,000.00) upon the  
8 third or subsequent conviction.

9 D. The terms of imprisonment specified in this section shall  
10 not be subject to statutory provisions for suspension, deferral, or  
11 probation or state correctional institution earned credits, except  
12 for the achievement earned credits authorized by subsection H of  
13 Section 138 of Title 57 of the Oklahoma Statutes. To qualify for  
14 such achievement earned credits, inmates must also be in compliance  
15 with the standards for Class level 2 behavior, as defined in  
16 subsection D of Section 138 of Title 57 of the Oklahoma Statutes.

17 SECTION 2. AMENDATORY 21 O.S. 2021, Section 1031, as  
18 amended by Section 2, Chapter 265, O.S.L. 2023 (21 O.S. Supp. 2023,  
19 Section 1031), is amended to read as follows:

20 Section 1031. A. Except as provided in subsection B, C, D, or  
21 E of this section, any person violating any of the provisions of  
22 ~~Section 1028~~, paragraph 1, 2, 3, or 5 of subsection A of Section  
23 1029~~7~~ or Section 1030 of this title shall, upon conviction, be  
24 guilty of a misdemeanor and shall be punished by imprisonment in the

1 county jail for not less than thirty (30) days nor more than one (1)  
2 year or by fines as follows: a fine not more than Two Thousand Five  
3 Hundred Dollars (\$2,500.00) upon the first conviction for violation  
4 of any of such provisions, a fine not more than Five Thousand  
5 Dollars (\$5,000.00) upon the second conviction for violation of any  
6 of such provisions, and a fine not more than Seven Thousand Five  
7 Hundred Dollars (\$7,500.00) upon the third or subsequent convictions  
8 for violation of any of such provisions, or by both such  
9 imprisonment and fine. In addition, the court may require a term of  
10 community service not less than forty (40) nor more than eighty (80)  
11 hours. The court in which any such conviction is had shall notify  
12 the county superintendent of public health of such conviction.

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

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

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 ~~1028,~~  
4 1029 or 1030 of this title within one thousand (1,000) feet of a  
5 school or church shall, upon conviction, be guilty of a felony and  
6 shall be punished by imprisonment in the custody of the Department  
7 of Corrections for not more than five (5) years or by fines as  
8 follows: a fine not more than Two Thousand Five Hundred Dollars  
9 (\$2,500.00) upon the first conviction for violation of any of such  
10 provisions, a fine not more than Five Thousand Dollars (\$5,000.00)  
11 upon the second conviction for violation of any of such provisions,  
12 and a fine not more than Seven Thousand Five Hundred Dollars  
13 (\$7,500.00) upon the third or subsequent convictions for violation  
14 of any of such provisions, or by both such imprisonment and fine.  
15 In addition, the court may require a term of community service not  
16 less than forty (40) nor more than eighty (80) hours. The court in  
17 which any such conviction is had shall notify the county  
18 superintendent of public 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 subsection B  
22 of Section ~~3~~ 1040.57 of this ~~act~~ title.

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SECTION 3. This act shall become effective November 1, 2024.

59-2-9935            GRS            02/01/24