

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

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Action: Do Pass with Amendments to the A-Engrossed Measure. (Printed B-Engrossed)

Vote: 5 - 0 - 0

Yeas: Bonamici, Dingfelder, Kruse, Whitsett, Prozanski

Nays: 0

Exc.: 0

Prepared By: Bill Taylor, Counsel

Meeting Dates: 5/3, 5/4

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**WHAT THE MEASURE DOES:** Creates the crime of patronizing a prostitute if a person pays or offers to pay a fee to another in order to engage in a sex act. Classifies the crime as a Class A misdemeanor. Sets the fine at \$20,000 if the person to whom the fee was offered was under eighteen years of age. Does not require the state to prove the person knew the individual to whom the offer was made was under eighteen years of age. Allows court to impose a fine that the court determines the defendant can pay if the court determines that the defendant is unable to pay \$20,000. Prohibits the court from waiving or suspending the fine. Amends the prostitution statute, ORS 167.007, to include only the person offering to engage in a sex act for a fee. Adds a minimum of seven days in jail for second offense.

**ISSUES DISCUSSED:**

- Large fines a deterrent to soliciting to purchase sex
- Lack of knowledge of age not a defense

**EFFECT OF COMMITTEE AMENDMENT:** Adds a minimum of seven days in jail for second offense.

**BACKGROUND:** Currently, the crime of prostitution includes the person offering to engage in a sex act in return for a fee and the person paying or offering to pay the fee. The crime is a Class A misdemeanor with a penalty of up to a year in jail and a fine of up to \$6,250. Many of those seeking the services of a prostitute are attracted to underage individuals. This measure would significantly increase the penalties for those who do.