

ASSEMBLY BILL NO. 106—ASSEMBLYMAN HAMBRICK

PREFILED JANUARY 31, 2011

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing certain sexual crimes involving minors. (BDR 15-514)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to crimes; enhancing the punishment for certain acts relating to living from the earnings of a prostitute; enhancing the punishment for soliciting a child for prostitution; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law provides that living from the earnings of a prostitute is punishable
- 2 as a category D felony. (NRS 201.320) **Section 1** of this bill makes it a category B
- 3 felony to live from the earnings of a prostitute if the prostitute is a child. Existing
- 4 law also provides that soliciting a child for prostitution is punishable as a category
- 5 E felony. (NRS 201.354) **Section 2** of this bill enhances the penalties for such an
- 6 offense based on the age of the child at the time of the offense.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 201.320 is hereby amended to read as follows:
- 2 201.320 1. A person who knowingly accepts, receives, levies
- 3 or appropriates any money or other valuable thing, without
- 4 consideration, from the proceeds of any prostitute ~~and~~ *who is:*
- 5 *(a) An adult*, is guilty of a category D felony and shall be
- 6 punished as provided in NRS 193.130.
- 7 *(b) A child*, *is guilty of a category B felony and shall be*
- 8 *punished as provided in NRS 193.130.*



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2. Any such acceptance, receipt, levy or appropriation of money or valuable thing upon any proceedings or trial for violation of this section is presumptive evidence of lack of consideration.

Sec. 2. NRS 201.354 is hereby amended to read as follows:

201.354 1. It is unlawful for any person to engage in prostitution or solicitation therefor, except in a licensed house of prostitution.

2. Except as otherwise provided in subsection 3, a person who violates subsection 1 is guilty of a misdemeanor.

3. A person who violates subsection 1 by soliciting a child for prostitution *and the child is:*

(a) At least 16 years of age but less than 18 years of age when the offense is committed, is guilty of a category ~~B~~ C felony and shall be punished as provided in NRS 193.130.

(b) At least 14 years of age but less than 16 years of age when the offense is committed, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000.

(c) Less than 14 years of age when the offense is committed, is guilty of a category A felony and shall be punished by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served, and may be further punished by a fine of not more than \$10,000.

