

Assembly Bill No. 182—Assemblymen Tolles, Roberts, Hardy,
Yeager, O'Neill; Bilbray-Axelrod, Hansen, Kasama,
Krasner, Marzola and Nguyen

Joint Sponsors: Senators Pickard;
Seevers Gansert and Spearman

CHAPTER.....

AN ACT relating to crimes; revising the elements of the crime of
advancing prostitution; and providing other matters properly
relating thereto.

Legislative Counsel's Digest:

Under existing law, a person is guilty of the crime of advancing prostitution if the person owns, leases, operates, controls or manages any business or private property and: (1) knows or should know that illegal prostitution is being conducted at the business or upon such private property; (2) knows or should know that one or more prostitutes engaging in such illegal prostitution are victims of involuntary servitude; and (3) fails to take reasonable steps to abate such illegal prostitution within 30 days after the person knows or should know about such illegal prostitution. (NRS 201.395) This bill revises the elements of the crime of advancing prostitution by: (1) providing that a person who owns, leases, operates, controls or manages any business or private property is guilty of the crime if the person knows that illegal prostitution is being conducted at the business or upon such private property because the person has been notified, in writing, by a law enforcement agency of at least one incident of illegal prostitution that occurred at the business or upon such private property, including notice that the illegal prostitution may result in prosecution for pandering or sex trafficking, but fails to take reasonable steps to abate such illegal prostitution within 30 days after receipt of such written notice; (2) removing the elements of the crime relating to involuntary servitude; and (3) removing from the list of actions deemed to be reasonable steps to abate illegal prostitution the promotion of ongoing education for employees about illegal prostitution.

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

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

Section 1. NRS 201.395 is hereby amended to read as follows:

201.395 1. A person who owns, leases, operates, controls or
manages any business or private property ~~and who~~ *is guilty of
advancing prostitution if the person:*

(a) Knows ~~for should know~~ that illegal prostitution is being
conducted at the business or upon such private property ~~;~~

~~—(b) Knows or should know that one or more prostitutes engaging
in such illegal prostitution are victims of involuntary servitude as
described in NRS 200.463;~~ *because the person has been notified,*



in writing, by a law enforcement agency of at least one incident of illegal prostitution that occurred at the business or upon such private property;

(b) Receives notice pursuant to paragraph (a) that the illegal prostitution may result in prosecution for pandering or sex trafficking pursuant to NRS 201.300 or facilitating sex trafficking pursuant to NRS 201.301; and

(c) Fails to take reasonable steps to abate such illegal prostitution within 30 days after the date on which the person ~~[knows the circumstances set forth in paragraphs (a) and (b);~~
~~→ is guilty of advancing prostitution.]~~ *receives such written notice from the law enforcement agency.*

2. Unless a greater penalty is provided by specific statute, a person who is guilty of advancing prostitution shall be punished for a category C felony as provided in NRS 193.130.

3. For the purposes of this section, a person who owns, leases, operates, controls or manages any business or private property shall be deemed ~~to~~:

~~—(a) To know that illegal prostitution is being conducted at the business or upon the private property of the person if a law enforcement agency has notified the person who owns, leases, operates, controls or manages the business or private property, in writing, of at least three incidents of illegal prostitution that occurred at the business or upon the private property of the person within a period of 180 consecutive days.~~

~~—(b) To know that one or more prostitutes engaging in such illegal prostitution are victims of involuntary servitude as described in NRS 200.463 if, in light of all the surrounding facts and circumstances which are known to the person at the time, a reasonable person would believe, under those facts and circumstances, that one or more prostitutes engaging in such illegal prostitution are victims of involuntary servitude as described in NRS 200.463.~~

~~—(c) To~~ *to* have taken reasonable steps to abate ~~[such]~~ illegal prostitution if the person has:

~~[(1)]~~ *(a)* Filed a report of such illegal prostitution with a law enforcement agency;

~~[(2)]~~ *(b)* Allowed a law enforcement agency to conduct surveillance or an unrestricted undercover operation;

~~[(3) Promoted ongoing education about such illegal prostitution for employees;]~~ or

~~[(4)]~~ *(c)* Used any other available legal means to abate such illegal prostitution.



4. Any action taken to abate illegal prostitution pursuant to this section must comply with any other applicable law of this State, including, without limitation, the provisions of chapters 118A and 118C of NRS.

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