

Introduced by

Senators J. Lee, Bowman, Robinson

Representatives Dockter, Haak, M. Johnson

1 A BILL for an Act to amend and reenact sections 12.1-29-02 and 12.1-29-03 of the North
2 Dakota Century Code, relating to facilitating prostitution.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 12.1-29-02 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **12.1-29-02. Facilitating prostitution.**

7 1. A person is guilty of an offense if ~~hethe person~~:

8 a. Knowingly solicits a person to patronize a prostitute;

9 b. Knowingly procures a prostitute for a patron;

10 c. Knowingly leases or otherwise permits a place controlled by the actor, alone or in
11 association with others, to be regularly used for prostitution, promoting
12 prostitution, or facilitating prostitution, or fails to make reasonable effort to abate
13 such use by ejecting the tenant, notifying law enforcement authorities, or taking
14 other legally available means; or

15 d. Knowingly induces or otherwise intentionally causes another to remain a
16 prostitute. A person who is supported in whole or substantial part by the proceeds
17 of prostitution, other than the prostitute or the prostitute's minor child or a person
18 whom the prostitute is required by law to support, is presumed to be knowingly
19 inducing or intentionally causing another to remain a prostitute.

20 2. The offense is a class ~~GA~~ felony if the actor intentionally causes another to remain a
21 prostitute by force or threat, or the prostitute is the actor's spouse, ~~child~~, or ward, or a
22 person for whose care, protection, or support ~~hethe actor~~ is responsible, ~~or the~~
23 ~~prostitute is, in fact, less than sixteen years old.~~ Otherwise it is a class A-
24 ~~misdemeanor~~C felony.

1 **SECTION 2. AMENDMENT.** Section 12.1-29-03 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **12.1-29-03. Prostitution.**

4 An ~~individual~~adult is guilty of prostitution, a class B misdemeanor, if the ~~individual~~adult:

- 5 1. Is an inmate of a house of prostitution or is otherwise engaged in sexual activity as a
6 business;
- 7 2. Solicits another person with the intention of being hired to engage in sexual activity; or
- 8 3. Agrees to engage in sexual activity with another for money or other items of pecuniary
9 value.