

HOUSE BILL REPORT

ESB 6254

As Reported by House Committee On:
Public Safety & Emergency Preparedness

Title: An act relating to promoting prostitution.

Brief Description: Changing promoting prostitution provisions.

Sponsors: Senators Delvin, Hargrove, Kohl-Welles, Roach, Conway, Pflug, Ericksen, Carrell, Schoesler, Fain, Baumgartner, Fraser, Padden, Regala, Kline, Shin, Litzow, Eide, Chase, Stevens, Nelson and Keiser.

Brief History:

Committee Activity:

Public Safety & Emergency Preparedness: 2/15/12, 2/21/12 [DPA].

**Brief Summary of Engrossed Bill
(As Amended by Committee)**

- Amends the offense of Promoting Prostitution in the first degree to include compelling a person with a mental incapacity or developmental disability that renders the person incapable of consent to engage in prostitution.

HOUSE COMMITTEE ON PUBLIC SAFETY & EMERGENCY PREPAREDNESS

Majority Report: Do pass as amended. Signed by 11 members: Representatives Hurst, Chair; Ladenburg, Vice Chair; Pearson, Ranking Minority Member; Klippert, Assistant Ranking Minority Member; Appleton, Armstrong, Goodman, Hope, Kirby, Moscoso and Ross.

Staff: Sarah Koster (786-7303).

Background:

A person is guilty of Promoting Prostitution in the first degree if he or she knowingly advances prostitution by compelling a person by threat or force to engage in prostitution or profits from prostitution which results from such threat or force.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Promoting Prostitution in the first degree is a class B felony.

Summary of Amended Bill:

A person is guilty of Promoting Prostitution in the first degree if he or she knowingly advances prostitution:

- by compelling a person by threat or force to engage in prostitution or profits from prostitution which results from such threat or force; or
- by compelling a person with a mental incapacity or developmental disability that renders the person incapable of consent to engage in prostitution or profits from prostitution which results from that compulsion.

Amended Bill Compared to Engrossed Bill:

The amended bill clarifies that the bill does not include profiting from prostitution under the offense of Promoting Prostitution in the first degree unless it is related to compelling a person by threat or force, or a mentally incapacitated or developmental disabled person, to engage in prostitution. The amended bill replaces the term "mental disability" with "mental incapacity."

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This is part of a package of 10 bills with bipartisan support. The 2012 legislative session is the tenth anniversary of Washington's first anti-trafficking legislation. Washington has led the way for the country on this issue. This bill is a simple fix to a problem that has been found to occur in which developmentally disabled persons have been taken advantage of.

(Opposed) None.

Persons Testifying: Senator Delvin, prime sponsor; and Senator Kohl-Welles.

Persons Signed In To Testify But Not Testifying: None.