

2015 -- H 5069

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO CRIMINAL OFFENSES -- COMMERCIAL SEXUAL ACTIVITY --
PANDERING

Introduced By: Representatives Costa, Chippendale, Casey, Morin, and Phillips

Date Introduced: January 14, 2015

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-34.1-7 of the General Laws in Chapter 11-34.1 entitled
2 "Commercial Sexual Activity" is hereby amended to read as follows:

3 **11-34.1-7. Pandering or permitting prostitution -- Not allowed. --** (a) It shall be
4 unlawful for any person, by any promise or threat, by abuse of person, or by any other device or
5 scheme, to cause, induce, persuade, or encourage a person to become a prostitute or to come into
6 this state or leave this state for the purpose of prostitution. It shall be unlawful for any person to
7 receive or give, or agree to receive or give, any money or thing of value for procuring or
8 attempting to procure any person to become a prostitute or to come into this state or leave this
9 state for the purpose of prostitution.

10 (b) It shall be unlawful for any person to knowingly permit, allow, transport, or offer or
11 agree to receive any person into any place, structure, house, building, room, or business for the
12 purpose of committing any commercial sexual activity, or knowingly permit any person to remain
13 in the premises for those purposes, or to, in any way, aid or abet or participate in any of the acts
14 or things enumerated in this chapter. Any person, knowing a person to be a prostitute, who shall
15 live or derive support or maintenance, in whole or in part, from the earnings or proceeds of
16 commercial sexual activity, from moneys loaned, advanced to, or charged against the prostitute
17 by a landlord, manager, owner of a spa or business, or any other place where commercial sexual
18 activity is practiced or allowed, or who shall share in the earnings, proceeds, or moneys shall be

1 guilty of the crime of permitting prostitution.

2 (c) Every person who commits any of the offenses described in subsection (a) [or](#)
3 [subsection \(b\)](#) of this section, or who assists, abets, or aids another to commit any of those
4 offenses, shall be guilty of pandering. For the first offense, that person shall be punished by
5 imprisonment for not less than one year and not more than five (5) years and a fine of not less
6 than two thousand dollars (\$2,000), nor more than five thousand dollars (\$5,000). For every
7 subsequent offense, that person shall be punished by imprisonment for not less than three (3)
8 years and not more than ten (10) years and a fine of not less than five thousand dollars (\$5,000),
9 nor more than ten thousand dollars (\$10,000).

10 (d) Any proceeds derived directly from a violation of this section are subject to seizure
11 and forfeiture and further proceedings shall be required for their forfeiture as is prescribed by law
12 in chapter 21 of title 12.

13 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO CRIMINAL OFFENSES -- COMMERCIAL SEXUAL ACTIVITY --
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- 1 This act would expand the definition of pandering to include the person in control of the
- 2 premises where prostitution occurs.
- 3 This act would take effect upon passage.

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