

SEXUAL SOLICITATION AMENDMENTS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jennifer M. Seelig

Senate Sponsor: Curtis S. Bramble

|    |                      |                       |                      |
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LONG TITLE

General Description:

This bill modifies the Criminal Code regarding the offense of sexual solicitation.

Highlighted Provisions:

This bill:

clarifies the acts that constitute sexual solicitation with the intent to engage in prostitution.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-10-1313, as enacted by Laws of Utah 1993, Chapter 179

29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section **76-10-1313** is amended to read:

31 **76-10-1313. Sexual solicitation -- Penalty.**

32 (1) A person is guilty of sexual solicitation when the person:

33 (a) ~~he~~ offers or agrees to commit any sexual activity with another person for a fee;

34 ~~or~~

35 (b) ~~he~~ pays or offers or agrees to pay a fee to another person to commit any sexual  
36 activity ~~for a fee.~~; or

37 (c) with intent to engage in sexual activity for a fee or to pay another person to commit  
38 any sexual activity for a fee engages in, offers or agrees to engage in, or requests or directs  
39 another to engage in any of the following acts:

40 (i) exposure of a person's genitals, the buttocks, the anus, the pubic area, or the female  
41 breast below the top of the areola;

42 (ii) masturbation;

43 (iii) touching of a person's genitals, the buttocks, the anus, the pubic area, or the female  
44 breast; or

45 (iv) any act of lewdness.

46 (2) An intent to engage in sexual activity for a fee may be inferred from a person's  
47 engaging in, offering or agreeing to engage in, or requesting or directing another to engage in  
48 any of the acts described in Subsection (1)(c) under the totality of the existing circumstances.

49 ~~(2)~~ (3) (a) Sexual solicitation is a class B misdemeanor[. However, any], except  
50 under Subsection (3)(b).

51 (b) Any person who is convicted a second [time, and on all subsequent convictions,] or  
52 subsequent time under this section or under a local ordinance adopted in compliance with  
53 Section 76-10-1307, is guilty of a class A misdemeanor, except as provided in Section  
54 76-10-1309.