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**SEXUAL SOLICITATION AMENDMENTS**

2011 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jennifer M. Seelig**

Senate Sponsor: \_\_\_\_\_

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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

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

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

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

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

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

[~~or~~]



28 (b) ~~he~~ pays or offers or agrees to pay another person to commit any sexual activity for  
29 a fee[-];

30 (c) ~~He~~ → ~~[as a manifestation of an]~~ with ~~←~~ ~~He~~ intent to engage in prostitution:

31 (i) exposes the person's genitals, the female breast below the top of the areola, the  
32 buttocks, the anus, or the pubic area;

33 (ii) masturbates;

34 (iii) touches the person's genitals, the female breast, the buttocks, the anus, or the pubic  
35 area; or

36 (iv) performs any other act of lewdness; or

37 (d) ~~He~~ → ~~[as a manifestation of an]~~ with ~~←~~ ~~He~~ intent to engage in prostitution, the person  
37a directs another

38 person to perform ~~He~~ → ~~[one]~~ any ~~←~~ ~~He~~ of the following acts:

39 (i) expose that person's genitals, the female breast below the top of the areola, the  
40 buttocks, the anus, or the pubic area;

41 (ii) masturbate;

42 (iii) touch that person's genitals, the female breast, the buttocks, the anus, or the pubic  
43 area;

44 (iv) touch the genitals, the female breast, the buttocks, the anus, or the pubic area of the  
45 person directing that an act under this Subsection (1)(d) be performed; or

46 (v) perform any other act of lewdness.

47 (2) (a) Sexual solicitation is a class B misdemeanor[-. However, any], except under  
48 Subsection (2)(b).

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

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**Legislative Review Note**  
**as of 2-4-11 4:06 PM**

**Office of Legislative Research and General Counsel**

# FISCAL NOTE

H.B. 121

SHORT TITLE: **Sexual Solicitation Amendments**

SPONSOR: **Seelig, J.**

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.