

House Research Act Summary

CHAPTER: 170

SESSION: 2009 Regular Session

TOPIC: Prostitution changes

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Analyst: Rebecca Pirius

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Section

- 1** **Place of public accommodation.** Amends the prostitution law to add a definition of "place of public accommodation." This term is included in the definition of "public place" in the public place prostitution crime. A person who engages in prostitution in a public place is guilty of a gross misdemeanor rather than a misdemeanor.
- 2** **Public place prostitution crime.** Replaces current language prohibiting soliciting or accepting a solicitation to engage for hire in sexual penetration or sexual contact with language prohibiting engaging in prostitution or hiring or offering to hire an individual to engage in sexual penetration or sexual contact. These changes make the substantive language in the public place prostitution crime identical to that in the other prostitution crimes. Also makes technical changes.
- 3** **Engaging in, hiring, or agreeing to hire adult to engage in prostitution.** Current law provides for an enhanced penalty (gross misdemeanor) for a person who violates this crime within two years of a previous conviction. This section broadens the applicability of the enhanced penalty to include violations within the past two years of the solicitation, inducement, and promotion of a prostitution crime (section 609.322). Also makes technical changes.
- 4** **Use of motor vehicle to patronize prostitutes; driving record notations.** Under current law, when a court convicts a person who is acting as a patron of a prostitution-related offense involving the use of a motor vehicle, the court is required to forward that finding to the Commissioner of Public Safety. DPS must record it on the person's driving record. This finding is currently classified as private data. This section clarifies that the finding is accessible for law enforcement purposes. It also classifies the finding as public data if the person has previously been convicted of a prostitution crime.

