

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 1187
Version: As introduced

DATE: March 14, 2013

Authors: Allen and others

Subject: Safe harbor provisions

Analyst: Rebecca Pirius, 651.296.5044

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd/.

Overview

This bill amends safe harbor provisions enacted in 2011 by eliminating language that would allow a 16 or 17 year old to be charged as a prostitute.

Section

- 1 Delinquent child.** Strikes language that would allow a 16 or 17 year old to be charged with being hired, offering to be hired, or agreeing to be hired by another to engage in sexual penetration or contact. (A juvenile acting as a patron or promoter could still be charged.) Effective August 1, 2014.
- 2 Juvenile petty offender.** Conforming changes in line with section 1. Limits reference to prostitution offense to violations by *patrons*. (In effect, exempts from the definition of “juvenile petty offense” a juvenile charged with a misdemeanor-level prostitution offense *when acting as a patron*. This means the juvenile would receive an adjudication of delinquency, rather than be adjudicated as a petty offender. There are more disposition options available to the court on delinquency adjudication.) Effective August 1, 2014.
- 3 Child in need of protection or services.** Amends the definition of a child in need of protection or services by striking a reference to juveniles engaged in prostitution. This would no longer be an offense under section 1. Replaces the reference with the term “sexually exploited youth” – which is being moved from clause (17) to clause (11). Effective August 1, 2014.
- 4 Sexually exploited youth.** Corrects an oversight in the definition of sexually exploited youth by adding a citation that was missed in a sequence. The sequence lists first-, second-, fourth-, and fifth-degrees of criminal sexual conduct, but misses the third-degree crime.

Section

5 **Repealer.** Repeals a diversion program for 16 and 17 year old juvenile prostitutes. This would no longer be an offense under section 1.