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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO CRIMINAL OFFENSES -- COMMERCIAL SEXUAL ACTIVITY

Introduced By: Senator Matthew L. LaMountain

Date Introduced: March 27, 2025

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 11-34.1-3 and 11-34.1-6 of the General Laws in Chapter 11-34.1
2 entitled "Commercial Sexual Activity" are hereby amended to read as follows:

3 **11-34.1-3. Procurement of sexual conduct for a fee.**

4 (a) A person is guilty of procuring or attempting to procure sexual conduct for the payment
5 of a fee if they engage or seek to engage in sexual conduct for any type of fee and/or pay or agree
6 to pay any type of fee for sexual conduct, regardless of the time, place or location of the
7 procurement, attempted procurement, payment, attempted payment or conduct. Any person found
8 guilty under this section shall be deemed guilty of a misdemeanor and shall be subject to
9 imprisonment for a term not exceeding one year, or to a fine of not less than two hundred fifty
10 dollars (\$250) nor more than one thousand dollars (\$1,000), or both.

11 (b) Any person found guilty of a subsequent offense under this section shall be subject to
12 imprisonment for a term not exceeding one year, or a fine of not less than five hundred dollars
13 (\$500) nor more than one thousand dollars (\$1,000), or both.

14 (c) [In addition to any fine, fee, assessment or penalty authorized herein, a person who is](#)
15 [found guilty, pleads nolo contendere, or is convicted of soliciting prostitution pursuant to this](#)
16 [section, shall be ordered to participate in the “commercial sex buyer’s accountability program”](#)
17 [pursuant to § 11-34.1-15, and assessed a mandatory fee of one thousand dollars \(\\$1,000\).](#)

18 **11-34.1-6. Soliciting from motor vehicles for indecent purposes — Forfeiture of motor**
19 **vehicle.**

1 (a) It shall be unlawful for any person, while an operator or passenger in a motor vehicle
2 to stop, or attempt to stop another vehicle or pedestrian, or to engage or attempt to engage persons
3 in another vehicle or pedestrians in conversation, for the purposes of prostitution or other indecent
4 act, or to patronize, induce, or otherwise secure another person to commit any commercial sexual
5 activity. Any person found guilty under this section shall be subject to a sentence of up to six (6)
6 months incarceration or a fine of not less than five hundred dollars (\$500) nor more than one
7 thousand dollars (\$1,000), or both.

8 (b) Any person found guilty of a subsequent offense under this section shall be subject to
9 imprisonment for a term of not more than one year and a fine of not less than seven hundred fifty
10 dollars (\$750) nor more than one thousand dollars (\$1,000). No fine imposed under this section
11 may be suspended.

12 (c) The motor vehicle being unlawfully operated as defined in this chapter by a person
13 convicted of a second or subsequent offense of soliciting from a motor vehicle for indecent
14 purposes pursuant to this chapter which vehicle is owned by the operator, may be seized by the law
15 enforcement agency and forfeited at the discretion of the court. Any funds received from the
16 forfeiture shall be deposited in the victim's of crimes indemnity fund (VCIF).

17 (d) In addition to any fine, fee, assessment or penalty authorized herein, a person who is
18 found guilty, pleads nolo contendere, or is convicted of soliciting prostitution pursuant to this
19 section, shall be ordered to participate in the "commercial sex buyer's accountability program"
20 pursuant to § 11-34.1-15, and assessed a mandatory fee of one thousand dollars (\$1,000).

21 SECTION 2. Chapter 11-34.1 of the General Laws entitled "Commercial Sexual Activity"
22 is hereby amended by adding thereto the following section:

23 **11-34.1-15. The commercial sex buyer's accountability program.**

24 (a) There is hereby established an education program to be known as "commercial sex
25 buyer's accountability program" which shall consist of an instructional program on prostitution and
26 human trafficking schemes offered in one or more locations throughout the state as follows:

27 (1) By a local governmental entity, alone or in partnership with a nonprofit, pertaining to
28 the proposed operation of an instructional program by the local government entity, or alternatively,
29 by a nonprofit or other private provider on behalf of the local governmental entity and the attorney
30 general. If a local governmental entity establishes and operates an instructional program, then the
31 superior court of the State of Rhode Island or local governmental entity shall order a person
32 convicted of an eligible offense under §§ 11-34.1-3 or 11-34.1-6 to attend that local governmental
33 entity's program; provided, the court shall not be required to order a person to attend that program
34 until the first day of the month next following the date of which the attorney general notifies the

1 court that the program has been established and approved by the attorney general; and
2 (2) To be established within six (6) months of the effective date of this section. Any court
3 that does not have an approved local governmental entity instructional program as established under
4 this section, shall order a person convicted of an eligible offense under §§ 11-34.1-3 or 11-34.1-6,
5 to attend the approved state program established under this section, unless there is a local
6 government entity instructional program within twenty-five (25) miles of the court, and the court
7 has been notified in accordance with this section of the availability of that program to accept
8 participants from the court, in which case the court may order a person to attend the local
9 governmental entity's instructional program; regarding any program notice under this subsection,
10 a court shall not be required to order a person to attend a program until the first day of the month
11 next following the date on which the attorney general notifies the courts that the program has been
12 established and approved by the attorney general.

13 (b) The program shall include information intended to increase the person's awareness of:

14 (1) The causes of prostitution and its relationship to human trafficking;

15 (2) The health risks connected with prostitution, including the risk of transmittable
16 diseases;

17 (3) The consequences of convictions for prostitution or human trafficking, including
18 penalties for subsequent convictions; and

19 (4) The pervasiveness of human trafficking as well as the long-term physical and
20 psychological harms of prostitution and human trafficking on its victims.

21 (c) Each assessment of the one thousand dollars (\$1,000) fee pursuant to §§ 11-34.1-3(c)
22 or 11-34.1-6(d) shall be collected by the court and forwarded to the department of treasury to be
23 deposited into the crime victim compensation fund established pursuant to § 12-25-18. From this
24 fee, six hundred dollars (\$600) shall be retained in the fund and the remaining four hundred dollars
25 (\$400) shall be distributed as follows:

26 (1) Three hundred dollars (\$300) to the approved provider of the "commercial sex buyer's
27 accountability program" established pursuant to this section; and

28 (2) One hundred dollars (\$100) to the law enforcement agency that arrested the person
29 resulting in that person's conviction.

30 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO CRIMINAL OFFENSES -- COMMERCIAL SEXUAL ACTIVITY

1 This act would establish the commercial sex buyer’s accountability program which consists
2 of an instructional program on prostitution and human trafficking schemes. Any individual
3 convicted pursuant to §§ 11-34.1-3 or 11-34.1-6 would be ordered to participate in the program and
4 assessed a mandatory fee of one thousand dollars (\$1,000).

5 This act would take effect upon passage.

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