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S. B. No. 5

Senators Kunze, Dolan

Cosponsors: Senators Huffman, M., Hottinger, Roegner, Craig, Fedor, Obhof, Coley, Gavarone, Antonio, Brenner, Burke, Eklund, Hill, Hoagland, Huffman, S., Lehner, Maharath, McColley, O'Brien, Peterson, Rulli, Schuring, Terhar, Thomas, Uecker, Williams, Wilson, Yuko

A BILL

To amend section 2907.22 of the Revised Code to 1
amend the penalties for promoting prostitution. 2

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 2907.22 of the Revised Code be 3
amended to read as follows: 4

Sec. 2907.22. (A) No person shall knowingly: 5

(1) Establish, maintain, operate, manage, supervise, 6
control, or have an interest in a brothel or any other 7
enterprise a purpose of which is to facilitate engagement in 8
sexual activity for hire; 9

(2) Supervise, manage, or control the activities of a 10
prostitute in engaging in sexual activity for hire; 11

(3) Transport another, or cause another to be transported, 12
in order to facilitate the other person's engaging in sexual 13
activity for hire; 14

(4) For the purpose of violating or facilitating a violation of this section, induce or procure another to engage in sexual activity for hire.

(B) Whoever violates this section is guilty of promoting prostitution. ~~Except~~, and the court shall sentence the offender as follows:

(1) Except as otherwise provided in this division (B) (2) or (3) of this section, promoting prostitution is a felony of the fourth degree. ~~If any~~

(2) Except as provided in division (B) (3) of this section, promoting prostitution is a felony of the third degree if any of the following apply:

(a) A prostitute in the brothel involved in the offense, or the prostitute whose activities are supervised, managed, or controlled by the offender, or the person transported, induced, or procured by the offender to engage in sexual activity for hire, is a minor, whether or not the offender knows the age of the minor, ~~then promoting prostitution is a felony of the third degree. If .~~

(b) The offender previously has been convicted of or pleaded guilty to a violation of this section or a substantially similar violation of a law of another state or the United States.

(c) The offender also is convicted of or pleads guilty to a violation of section 2925.03 of the Revised Code.

(3) If the offender previously has been convicted of or pleaded guilty to two or more violations of this section or two or more substantially similar violations of a law of another state or the United States, promoting prostitution is a felony

of the second degree. 44

(4) If the offender in any case also is convicted of or 45
pleads guilty to a specification as described in section 46
2941.1422 of the Revised Code that was included in the 47
indictment, count in the indictment, or information charging the 48
offense, the court shall sentence the offender to a mandatory 49
prison term as provided in division (B) (7) of section 2929.14 of 50
the Revised Code and shall order the offender to make 51
restitution as provided in division (B) (8) of section 2929.18 of 52
the Revised Code. 53

(5) If the offender in any case also is convicted of or 54
pleads guilty to a firearm specification of the type described 55
in section 2941.141, 2941.144, or 2941.145 of the Revised Code 56
that was included in the indictment, count in the indictment, or 57
information charging the offense, the court shall sentence the 58
offender to a mandatory prison term as provided in division (B) 59
(1) (a) of section 2929.14 of the Revised Code. 60

Section 2. That existing section 2907.22 of the Revised 61
Code is hereby repealed. 62