

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 24-0510.01 Anna Petrini x5497

HOUSE BILL 24-1092

HOUSE SPONSORSHIP

Bradley,

SENATE SPONSORSHIP

Van Winkle,

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING REQUIRING A MINIMUM PERIOD OF INCARCERATION FOR**
102 **PERSONS WHO COMMIT ACTIONS AGAINST PROSTITUTED**
103 **CHILDREN.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Under current law, various crimes related to child prostitution are class 3 felonies. These crimes include soliciting for child prostitution, one type of pandering of a child, procurement of a child, keeping a place of child prostitution, pimping of a child, inducement of child prostitution, and patronizing a prostituted child. The bill requires a court to sentence

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

a person convicted of one of these crimes to the department of corrections for a term of at least the minimum of the presumptive range for a class 3 felony, which is 4 years.

Under current law, the crime of pandering of a child is either a class 2 or a class 3 felony, depending on the conduct involved. Pandering that uses menacing or criminal intimidation to induce a child to commit prostitution is a class 2 felony. The bill requires a court to sentence a person convicted of this type of pandering to the department of corrections for a term of at least the minimum of the presumptive range for a class 2 felony, which is 8 years.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 18-7-402, **amend** (2) as follows:

18-7-402. Soliciting for child prostitution. (2) Soliciting for child prostitution is a class 3 felony. THE COURT SHALL SENTENCE A PERSON CONVICTED PURSUANT TO THIS SECTION TO THE DEPARTMENT OF CORRECTIONS FOR A TERM OF AT LEAST THE MINIMUM OF THE PRESUMPTIVE RANGE FOR A CLASS 3 FELONY, AS SET FORTH IN SECTION 18-1.3-401.

SECTION 2. In Colorado Revised Statutes, 18-7-403, **amend** (2) as follows:

18-7-403. Pandering of a child. (2) Pandering ~~under paragraph (a) of subsection (1)~~ PURSUANT TO SUBSECTION (1)(a) of this section is a class 2 felony. Pandering ~~under paragraph (b) of subsection (1)~~ PURSUANT TO SUBSECTION (1)(b) of this section is a class 3 felony. THE COURT SHALL SENTENCE A PERSON CONVICTED PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION TO THE DEPARTMENT OF CORRECTIONS FOR A TERM OF AT LEAST THE MINIMUM OF THE PRESUMPTIVE RANGE FOR A CLASS 2 FELONY, AS SET FORTH IN SECTION 18-1.3-401. THE COURT SHALL SENTENCE A PERSON CONVICTED PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION TO

1 THE DEPARTMENT OF CORRECTIONS FOR A TERM OF AT LEAST THE
2 MINIMUM OF THE PRESUMPTIVE RANGE FOR A CLASS 3 FELONY, AS SET
3 FORTH IN SECTION 18-1.3-401.

4 **SECTION 3.** In Colorado Revised Statutes, **amend** 18-7-403.5
5 as follows:

6 **18-7-403.5. Procurement of a child.** Any person who
7 intentionally gives, transports, provides, or makes available, or who offers
8 to give, transport, provide, or make available, to another person a child
9 for the purpose of prostitution of the child commits procurement of a
10 child, which is a class 3 felony. THE COURT SHALL SENTENCE A PERSON
11 CONVICTED PURSUANT TO THIS SECTION TO THE DEPARTMENT OF
12 CORRECTIONS FOR A TERM OF AT LEAST THE MINIMUM OF THE
13 PRESUMPTIVE RANGE FOR A CLASS 3 FELONY, AS SET FORTH IN SECTION
14 18-1.3-401.

15 **SECTION 4.** In Colorado Revised Statutes, 18-7-404, **amend** (2)
16 as follows:

17 **18-7-404. Keeping a place of child prostitution.** (2) Keeping a
18 place of child prostitution is a class 3 felony. THE COURT SHALL
19 SENTENCE A PERSON CONVICTED PURSUANT TO THIS SECTION TO THE
20 DEPARTMENT OF CORRECTIONS FOR A TERM OF AT LEAST THE MINIMUM OF
21 THE PRESUMPTIVE RANGE FOR A CLASS 3 FELONY, AS SET FORTH IN
22 SECTION 18-1.3-401.

23 **SECTION 5.** In Colorado Revised Statutes, **amend** 18-7-405 as
24 follows:

25 **18-7-405. Pimping of a child.** Any person who knowingly lives
26 on or is supported or maintained in whole or in part by money or other
27 thing of value earned, received, procured, or realized by a child through

1 prostitution commits pimping of a child, which is a class 3 felony. THE
2 COURT SHALL SENTENCE A PERSON CONVICTED PURSUANT TO THIS
3 SECTION TO THE DEPARTMENT OF CORRECTIONS FOR A TERM OF AT LEAST
4 THE MINIMUM OF THE PRESUMPTIVE RANGE FOR A CLASS 3 FELONY, AS SET
5 FORTH IN SECTION 18-1.3-401.

6 **SECTION 6.** In Colorado Revised Statutes, 18-7-405.5, **amend**
7 (2) as follows:

8 **18-7-405.5. Inducement of child prostitution.** (2) Inducement
9 of child prostitution is a class 3 felony. THE COURT SHALL SENTENCE A
10 PERSON CONVICTED PURSUANT TO THIS SECTION TO THE DEPARTMENT OF
11 CORRECTIONS FOR A TERM OF AT LEAST THE MINIMUM OF THE
12 PRESUMPTIVE RANGE FOR A CLASS 3 FELONY, AS SET FORTH IN SECTION
13 18-1.3-401.

14 **SECTION 7.** In Colorado Revised Statutes, 18-7-406, **amend** (2)
15 as follows:

16 **18-7-406. Patronizing a prostituted child.** (2) Patronizing a
17 prostituted child is a class 3 felony. THE COURT SHALL SENTENCE A
18 PERSON CONVICTED PURSUANT TO THIS SECTION TO THE DEPARTMENT OF
19 CORRECTIONS FOR A TERM OF AT LEAST THE MINIMUM OF THE
20 PRESUMPTIVE RANGE FOR A CLASS 3 FELONY, AS SET FORTH IN SECTION
21 18-1.3-401.

22 **SECTION 8. Applicability.** This act applies to offenses
23 committed on or after the effective date of this act.

24 **SECTION 9. Safety clause.** The general assembly finds,
25 determines, and declares that this act is necessary for the immediate
26 preservation of the public peace, health, or safety or for appropriations for

- 1 the support and maintenance of the departments of the state and state
- 2 institutions.