

**First Regular Session  
Seventy-Seventh General Assembly  
STATE OF SAN ANDREAS**

**ENGROSSED**

LLS NO. 26-0729.02 Chris Hall x1958

**HOUSE BILL 26-024**

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**SENATE SPONSORSHIP**

**Esparza, Velasco**

**HOUSE SPONSORSHIP**

**Weiss, Bennett**

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**House Committees**

Judiciary

**Senate Committees**

Not assigned

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**A BILL FOR AN ACT**

**CONCERNING THE DEREGULATION AND DECRIMINALIZATION OF PROSTITUTION**

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**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 <https://saleg.uscgov.com>)*

This bill legalizes consensual prostitution between adults age eighteen and older within the State of San Andreas while establishing regulatory safeguards intended to protect public health, prevent exploitation, and shield minors from exposure to adult commercial activity.

Under the bill, consensual commercial sexual activity conducted between adults is no longer subject to criminal prosecution when performed in compliance with state and local

Shading denotes HOUSE amendment. 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.*

regulations. The legislation maintains existing criminal penalties for prostitution involving minors, human trafficking, coercion, or exploitation.

The bill establishes zoning restrictions prohibiting prostitution and commercial sexual establishments within one thousand (1,000) feet of any public or private elementary or secondary school. Local governments retain authority to impose stricter distance requirements and may regulate licensing, operational standards, and business locations through local ordinance.

The Act authorizes counties and municipalities to implement licensing systems governing health and safety standards, operating conditions, and workplace protections for regulated establishments. State and local public health agencies may adopt rules necessary to ensure compliance and promote safe working environments.

The purpose of the legislation is to transition prostitution from an unregulated criminal market to a regulated framework emphasizing public safety, community standards, and protection of minors.

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1 ***Be it enacted by the General Assembly of the State of San***  
2 ***Andreas:***  
3 **SECTION 1. SHORT TITLE.** This act shall be known and cited  
4 as the “Adult Prostitution Legalization Act.” **SECTION 2.**  
5 **LEGISLATIVE FINDINGS AND INTENT.** (a) The General  
6 Assembly finds that: (I) Criminal prohibition of consensual adult  
7 prostitution has contributed to unsafe working conditions,  
8 exploitation, and barriers to public health oversight; (II)  
9 Regulation of consensual adult commercial sexual activity  
10 promotes public safety, health monitoring, and transparency; (III)  
11 The State has a compelling interest in protecting minors and  
12 preserving school environments from exposure to adult-oriented  
13 commercial activity; (IV) Legalization accompanied by zoning  
14 restrictions and licensing requirements better protects  
15 communities than unregulated underground activity. (b) It is the

1 intent of the General Assembly to legalize and regulate  
2 prostitution between consenting adults while prohibiting such  
3 activity near schools and locations primarily serving minors.

4 **SECTION 3. DEFINITIONS.** As used in this Act: (a)  
5 “Prostitution” means consensual sexual activity between adults in  
6 exchange for compensation. (b) “Sex worker” means an  
7 individual age eighteen (18) years or older who voluntarily  
8 engages in prostitution. (c) “Commercial sexual establishment”  
9 means any business location where prostitution services are  
10 arranged or conducted. (d) “School” means any public or private  
11 elementary, middle, or secondary school serving persons under  
12 eighteen years of age. (e) “Voluntary participation” means  
13 engagement in prostitution free from force, fraud, coercion,  
14 intimidation, debt bondage, or abuse of legal or economic  
15 vulnerability. **SECTION 4. LEGALIZATION OF**  
16 **CONSENSUAL ADULT PROSTITUTION.** (a) Consensual  
17 prostitution between adults age eighteen or older is lawful within  
18 the State of San Andreas when conducted in compliance with this  
19 Act. (b) No person may be prosecuted solely for engaging in  
20 consensual prostitution consistent with this Act. (c) This Act does  
21 not legalize: (I) Prostitution involving minors; (II) Human  
22 trafficking; (III) Coercion, force, or exploitation; (IV) Prostitution  
23 conducted outside licensed or permitted areas as required by law.  
24 (d) A sex worker operating independently shall not be subject to  
25 criminal penalty solely for failure to obtain a business license  
26 where licensing requirements apply primarily to commercial  
27 establishments rather than individual workers. (e) A sex worker  
28 retains the unrestricted right to refuse or discontinue services at  
29 any time, and such refusal shall not constitute breach of contract  
30 or grounds for civil or criminal liability. **SECTION 5. SCHOOL**  
31 **DISTANCE RESTRICTIONS.** (a) Prostitution or operation of a  
32 commercial sexual establishment shall be prohibited within One  
33 thousand (1,000) feet of any school property line. (b) Local

1 governments may adopt greater distance requirements but shall  
2 not reduce the minimum distance established by this section. (c)  
3 Measurement shall be made in a straight line from the nearest  
4 property boundary of the school to the location where services are  
5 conducted. **SECTION 6. LICENSING AND LOCAL**  
6 **REGULATION.** (a) Counties and municipalities may establish  
7 licensing systems regulating: (I) Business operation hours; (II)  
8 Health and safety standards; (III) Zoning requirements; (IV)  
9 Workplace protections. (b) Licensing regulations shall not  
10 criminalize consensual adult activity otherwise lawful under this  
11 Act. (c) Local regulations adopted pursuant to this section shall be  
12 reasonable and shall not operate to effectively prohibit lawful  
13 consensual prostitution throughout the jurisdiction. (d) Licensing  
14 authorities shall require commercial sexual establishments to  
15 adopt written anti-trafficking policies, employee age verification  
16 procedures, and reporting protocols for suspected coercion or  
17 exploitation. **SECTION 7. PUBLIC HEALTH AND SAFETY.**  
18 (a) Licensed establishments shall comply with state public health  
19 regulations. (b) Participation in health education or safety  
20 programs may be required as a condition of establishment  
21 licensure; however, mandatory medical testing of individual sex  
22 workers shall not be required absent generally applicable public  
23 health law. (c) Licensed establishments shall implement  
24 workplace safety measures including panic alert systems, security  
25 protocols, and policies permitting workers to refuse or terminate  
26 services at any time without penalty. **SECTION 7.5. PRIVACY**  
27 **PROTECTIONS.** (a) Licensing systems shall protect the  
28 confidentiality of sex workers and shall prohibit public disclosure  
29 of personal identifying information except as required by court  
30 order. (b) Government records identifying licensed sex workers  
31 shall not be publicly searchable databases. **SECTION 8.**  
32 **PENALTIES.** (a) Violation of school distance requirements  
33 constitutes a Class A misdemeanor. (b) Any prostitution involving

1 a minor or coercion shall remain subject to felony prosecution  
2 under existing law. **SECTION 9. REPEAL OF EXISTING**  
3 **PROSTITUTION OFFENSE.** (a) Repeal. Section S.A.R.S.  
4 2-03-01, Prostitution, is hereby repealed in its entirety. (b) Former  
5 Statutory Language Repealed. The following provision is  
6 repealed: ~~A person is guilty of prostitution when they knowingly~~  
7 ~~engage in or offer to engage in a sexual act in exchange for~~  
8 ~~payment or other goods and services. Any person in violation of~~  
9 ~~this section commits a Class C misdemeanor.~~ (c) Conforming  
10 Amendments. (I) Any reference within the San Andreas Revised  
11 Statutes to criminal liability under S.A.R.S. 2-03-01 shall be  
12 deemed void upon the effective date of this Act. (II) Consensual  
13 prostitution between adults shall thereafter be governed  
14 exclusively by the provisions of the Regulated Adult Prostitution  
15 Legalization and Public Safety Act. (d) Savings Clause. Nothing  
16 in this section shall: (I) Affect prosecutions or convictions  
17 finalized prior to the effective date of this Act; or (II) Be  
18 construed to repeal or modify statutes relating to human  
19 trafficking, coercion, prostitution involving minors, or related  
20 criminal offenses. **SECTION 10. AUTOMATIC SEALING AND**  
21 **RELIEF FOR PRIOR PROSTITUTION CONVICTIONS.** (a)  
22 Automatic Record Sealing. Any arrest, charge, citation, or  
23 conviction entered solely under S.A.R.S. 2-03-01 (Prostitution)  
24 for conduct that is no longer criminal under this Act shall be  
25 automatically sealed. (b) Eligibility. (I) Relief under this section  
26 applies only where the offense involved consensual conduct  
27 between adults; (II) This section shall not apply to offenses  
28 involving: (I) Minors; (II) Human trafficking; (III) Coercion or  
29 force; (IV) Promotion or exploitation offenses remaining unlawful  
30 under state law. (c) Court and Agency Duties. Within one hundred  
31 eighty (180) days of the effective date of this Act: (I) Courts shall  
32 identify eligible cases and enter sealing orders without requiring a  
33 petition from the affected individual; (II) Law enforcement

1 agencies shall seal related arrest records; (III) The Department of  
2 Public Safety, and the San Andreas Bureau of Investigation shall  
3 update all criminal history databases accordingly. (d) Legal Effect  
4 of Sealing. Upon sealing: (I) The offense shall be deemed never to  
5 have occurred for all civil purposes; (II) The individual may  
6 lawfully state that they have not been arrested for or convicted of  
7 the sealed offense; (III) The record shall not be disclosed except  
8 by court order for limited law enforcement purposes. (e) No Filing  
9 Fee Required. No person eligible for relief under this section shall  
10 be required to pay filing fees, court costs, or administrative  
11 charges. (f) Optional Expungement Petition. An individual whose  
12 record is sealed under this section may petition the court for  
13 permanent expungement after one (1) year, which shall be granted  
14 absent good cause shown. **SECTION 10.5. CIVIL**  
15 **PROTECTIONS.** (a) Lawful participation in consensual  
16 prostitution under this Act shall not constitute lawful grounds for  
17 denial of housing, employment, or professional licensing unless  
18 directly related to job duties established by law. **SECTION 10.6.**  
19 **IMPLEMENTATION TRAINING.** (a) The Department of Public  
20 Safety shall develop training for law enforcement agencies  
21 regarding distinctions between lawful consensual prostitution and  
22 criminal trafficking or exploitation offenses. **SECTION 11.**  
23 **EFFECTIVE DATE.** This Act shall take effect after the 90 day  
24 period following the final adjournment of the Seventy-Seventh  
25 general assembly.