

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

INTRODUCED

LLS NO. 26-0729.01 Chris Hall x1958

HOUSE BILL 26-024

SENATE SPONSORSHIP

Esparza, Velasco

HOUSE SPONSORSHIP

Weiss, Bennett

House Committees

Not assigned

Senate Committees

Not assigned

A BILL FOR AN ACT

CONCERNING THE DEREGULATION AND DECRIMINALIZATION OF PROSTITUTION

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.

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. **SECTION 4. LEGALIZATION OF**
13 **CONSENSUAL ADULT PROSTITUTION.** (a) Consensual
14 prostitution between adults age eighteen or older is lawful within
15 the State of San Andreas when conducted in compliance with this
16 Act. (b) No person may be prosecuted solely for engaging in
17 consensual prostitution consistent with this Act. (c) This Act does
18 not legalize: (I) Prostitution involving minors; (II) Human
19 trafficking; (III) Coercion, force, or exploitation; (IV) Prostitution
20 conducted outside licensed or permitted areas as required by law.
21 **SECTION 5. SCHOOL DISTANCE RESTRICTIONS.** (a)
22 Prostitution or operation of a commercial sexual establishment
23 shall be prohibited within One thousand (1,000) feet of any school
24 property line. (b) Local governments may adopt greater distance
25 requirements but shall not reduce the minimum distance
26 established by this section. (c) Measurement shall be made in a
27 straight line from the nearest property boundary of the school to
28 the location where services are conducted. **SECTION 6.**
29 **LICENSING AND LOCAL REGULATION.** (a) Counties and
30 municipalities may establish licensing systems regulating: (I)
31 Business operation hours; (II) Health and safety standards; (III)
32 Zoning requirements; (IV) Workplace protections. (b) Licensing
33 regulations shall not criminalize consensual adult activity

1 otherwise lawful under this Act. **SECTION 7. PUBLIC HEALTH**
2 **AND SAFETY.** (a) Licensed establishments shall comply with
3 state public health regulations. (b) Participation in health
4 education or safety programs may be required as a condition of
5 licensure. **SECTION 8. PENALTIES.** (a) Violation of school
6 distance requirements constitutes a Class A misdemeanor. (b) Any
7 prostitution involving a minor or coercion shall remain subject to
8 felony prosecution under existing law. **SECTION 9. REPEAL OF**
9 **EXISTING PROSTITUTION OFFENSE.** (a) Repeal. Section
10 S.A.R.S. 2-03-01, Prostitution, is hereby repealed in its entirety.
11 (b) Former Statutory Language Repealed. The following
12 provision is repealed: ~~A person is guilty of prostitution when they~~
13 ~~knowingly engage in or offer to engage in a sexual act in~~
14 ~~exchange for payment or other goods and services. Any person in~~
15 ~~violation of this section commits a Class C misdemeanor.~~ (c)
16 Conforming Amendments. (I) Any reference within the San
17 Andreas Revised Statutes to criminal liability under S.A.R.S.
18 2-03-01 shall be deemed void upon the effective date of this Act.
19 (II) Consensual prostitution between adults shall thereafter be
20 governed exclusively by the provisions of the Regulated Adult
21 Prostitution Legalization and Public Safety Act. (d) Savings
22 Clause. Nothing in this section shall: (I) Affect prosecutions or
23 convictions finalized prior to the effective date of this Act; or (II)
24 Be construed to repeal or modify statutes relating to human
25 trafficking, coercion, prostitution involving minors, or related
26 criminal offenses. **SECTION 10. AUTOMATIC SEALING AND**
27 **RELIEF FOR PRIOR PROSTITUTION CONVICTIONS.** (a)
28 Automatic Record Sealing. Any arrest, charge, citation, or
29 conviction entered solely under S.A.R.S. 2-03-01 (Prostitution)
30 for conduct that is no longer criminal under this Act shall be
31 automatically sealed. (b) Eligibility. (I) Relief under this section
32 applies only where the offense involved consensual conduct
33 between adults; (II) This section shall not apply to offenses

1 involving: (I) Minors; (II) Human trafficking; (III) Coercion or
2 force; (IV) Promotion or exploitation offenses remaining unlawful
3 under state law. (c) Court and Agency Duties. Within one hundred
4 eighty (180) days of the effective date of this Act: (I) Courts shall
5 identify eligible cases and enter sealing orders without requiring a
6 petition from the affected individual; (II) Law enforcement
7 agencies shall seal related arrest records; (III) The Department of
8 Public Safety, and the San Andreas Bureau of Investigation shall
9 update all criminal history databases accordingly. (d) Legal Effect
10 of Sealing. Upon sealing: (I) The offense shall be deemed never to
11 have occurred for all civil purposes; (II) The individual may
12 lawfully state that they have not been arrested for or convicted of
13 the sealed offense; (III) The record shall not be disclosed except
14 by court order for limited law enforcement purposes. (e) No Filing
15 Fee Required. No person eligible for relief under this section shall
16 be required to pay filing fees, court costs, or administrative
17 charges. (f) Optional Expungement Petition. An individual whose
18 record is sealed under this section may petition the court for
19 permanent expungement after one (1) year, which shall be granted
20 absent good cause shown. **SECTION 11. EFFECTIVE DATE.**
21 This Act shall take effect after the 90 day period following the
22 final adjournment of the Seventy-Seventh general assembly.