

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

**REENGROSSED**

LLS NO. 26-0729.03 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. (c)  
4 The General Assembly further finds that regulation of adult  
5 commercial activity should balance worker safety, community  
6 standards, and protection of minors while avoiding unnecessary  
7 criminalization of consensual adult conduct. **SECTION 3.**  
8 **DEFINITIONS.** As used in this Act: (a) “Prostitution” means  
9 consensual sexual activity between adults in exchange for  
10 compensation. (b) “Sex worker” means an individual age eighteen  
11 (18) years or older who voluntarily engages in prostitution. (c)  
12 “Commercial sexual establishment” means any business location  
13 where prostitution services are arranged or conducted. (d)  
14 “School” means any public or private elementary, middle, or  
15 secondary school serving persons under eighteen years of age. (e)  
16 “Voluntary participation” means engagement in prostitution free  
17 from force, fraud, coercion, intimidation, debt bondage, or abuse  
18 of legal or economic vulnerability. **SECTION 4.**  
19 **LEGALIZATION OF CONSENSUAL ADULT**  
20 **PROSTITUTION.** (a) Consensual prostitution between adults age  
21 eighteen or older is lawful within the State of San Andreas when  
22 conducted in compliance with this Act. (b) No person may be  
23 prosecuted solely for engaging in consensual prostitution  
24 consistent with this Act. (c) This Act does not legalize: (I)  
25 Prostitution involving minors; (II) Human trafficking; (III)  
26 Coercion, force, or exploitation; (IV) Prostitution conducted  
27 outside licensed or permitted areas as required by law. (d) A sex  
28 worker operating independently shall not be subject to criminal  
29 penalty solely for failure to obtain a business license where  
30 licensing requirements apply primarily to commercial  
31 establishments rather than individual workers. (e) A sex worker  
32 retains the unrestricted right to refuse or discontinue services at  
33 any time, and such refusal shall not constitute breach of contract

1 or grounds for civil or criminal liability. **SECTION 5. SCHOOL**  
2 **DISTANCE RESTRICTIONS.** (a) Prostitution or operation of a  
3 commercial sexual establishment shall be prohibited within One  
4 thousand (1,000) feet of any school property line. (b) Local  
5 governments may adopt greater distance requirements but shall  
6 not reduce the minimum distance established by this section. (c)  
7 Measurement shall be made in a straight line from the nearest  
8 property boundary of the school to the location where services are  
9 conducted. **SECTION 5. TIME RESTRICTIONS NEAR**  
10 **SCHOOLS.** (a) Prostitution or operation of a commercial sexual  
11 establishment within the vicinity of a school shall be permitted  
12 only between the hours of seven o'clock post meridiem (7:00  
13 p.m.) and seven o'clock ante meridiem (7:00 a.m.). (b)  
14 Prostitution or operation of a commercial sexual establishment  
15 occurring between the hours of 7:00 a.m. and 7:00 p.m. in areas  
16 adjacent to a school shall constitute a violation of this section. (c)  
17 Local governments may adopt stricter operational time  
18 restrictions; however, they shall not prohibit lawful activity  
19 authorized under this Act during the hours permitted in subsection  
20 (a). (d) Nothing in this section shall permit prostitution or the  
21 operation of a commercial sexual establishment during  
22 school-sponsored events on school property outside the hours  
23 specified in subsection (a). (e) For purposes of this section,  
24 "vicinity of a school" shall mean any location visible from school  
25 grounds. **SECTION 6. LICENSING AND LOCAL**  
26 **REGULATION.** (a) Counties and municipalities may establish  
27 licensing systems regulating: (I) Business operation hours; (II)  
28 Health and safety standards; (III) Zoning requirements; (IV)  
29 Workplace protections. (b) Licensing regulations shall not  
30 criminalize consensual adult activity otherwise lawful under this  
31 Act. (c) Local regulations adopted pursuant to this section shall be  
32 reasonable and shall not operate to effectively prohibit lawful  
33 consensual prostitution throughout the jurisdiction. (d) Licensing

1 authorities shall require commercial sexual establishments to  
2 adopt written anti-trafficking policies, employee age verification  
3 procedures, and reporting protocols for suspected coercion or  
4 exploitation. (e) Local governments may establish designated  
5 adult commercial zones for licensed commercial sexual  
6 establishments, provided such zoning regulations do not  
7 effectively prohibit lawful activity authorized under this Act.

8 **SECTION 7. PUBLIC HEALTH AND SAFETY.** (a) Licensed  
9 establishments shall comply with state public health regulations.  
10 (b) Participation in health education or safety programs may be  
11 required as a condition of establishment licensure; however,  
12 mandatory medical testing of individual sex workers shall not be  
13 required absent generally applicable public health law. (c)  
14 Licensed establishments shall implement workplace safety  
15 measures including panic alert systems, security protocols, and  
16 policies permitting workers to refuse or terminate services at any  
17 time without penalty. (d) Licensed establishments shall provide  
18 workers with written notice of workplace rights, including the  
19 right to refuse services and protections against coercion or  
20 retaliation. (e) Establishments operating under this Act shall  
21 maintain policies requiring age verification of all workers and  
22 customers to ensure compliance with minimum age requirements.

23 **SECTION 7.5. PRIVACY PROTECTIONS.** (a) Licensing  
24 systems shall protect the confidentiality of sex workers and shall  
25 prohibit public disclosure of personal identifying information  
26 except as required by court order. (b) Government records  
27 identifying licensed sex workers shall not be publicly searchable  
28 databases. **SECTION 8. PENALTIES.** ~~(a) Violation of school~~  
29 ~~distance requirements constitutes a Class A misdemeanor.~~ (a)  
30 Violation of time restrictions near schools established in Section 5  
31 of this Act constitutes a Class A misdemeanor. (b) Any  
32 prostitution involving a minor or coercion shall remain subject to  
33 felony prosecution under existing law. (c) Repeated violations of

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

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