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HOUSE BILL NO. 413

Offered January 12, 2022

Prefiled January 11, 2022

A BILL to amend and reenact §§ 18.2-346 and 18.2-347 of the Code of Virginia, relating to minor victims of sex trafficking; services.

Patron—Delaney

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:**1. That §§ 18.2-346 and 18.2-347 of the Code of Virginia are amended and reenacted as follows:****§ 18.2-346. Prostitution; commercial sexual conduct; penalties.**

Any person who, for money or its equivalent, (i) commits any act in violation of § 18.2-361; performs cunnilingus, fellatio, or anilingus upon or by another person; engages in sexual intercourse or anal intercourse; touches the unclothed genitals or anus of another person with the intent to sexually arouse or gratify; or allows another to touch his unclothed genitals or anus with the intent to sexually arouse or gratify or (ii) offers to commit any act in violation of § 18.2-361; perform cunnilingus, fellatio, or anilingus upon or by another person; engage in sexual intercourse or anal intercourse; touch the unclothed genitals or anus of another person with the intent to sexually arouse or gratify; or allow another to touch his unclothed genitals or anus with the intent to sexually arouse or gratify and thereafter does any substantial act in furtherance thereof is guilty of prostitution, which is punishable as a Class 1 misdemeanor. *Notwithstanding any other provision of law, any minor who engages in conduct prohibited by this section shall not be proceeded upon as delinquent and shall be referred to the local department of social services for an assessment and services pursuant to § 63.2-1506.1. The local department of social services may take such minor into temporary custody pursuant to subsections C and D of § 63.2-1517.*

§ 18.2-347. Keeping, residing in, or frequenting a bawdy place; "bawdy place" defined; penalty.

It is unlawful for any person to keep any bawdy place, or to reside in or at or visit for immoral purposes any such bawdy place. Each day such bawdy place is kept, resided in, or visited shall constitute a separate offense. In a prosecution under this section, the general reputation of the bawdy place may be proved. A violation of this section is a Class 1 misdemeanor. *Notwithstanding any other provision of law, any minor who engages in conduct prohibited by this section shall not be proceeded upon as delinquent and shall be referred to the local department of social services for an assessment and services pursuant to § 63.2-1506.1. The local department of social services may take such minor into temporary custody pursuant to subsections C and D of § 63.2-1517.*

As used in this Code, "bawdy place" means any place within or outside any building or structure that is used or is to be used for lewdness, assignation, or prostitution.

INTRODUCED

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