

AN ACT

ENTITLED, An Act to revise provisions regarding engaging in sexual activity for a fee or other compensation.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 26-8B-2 be amended to read:

26-8B-2. For purposes of this chapter, a child in need of supervision is a child:

- (1) Of compulsory school age who is habitually absent from school without legal excuse;
- (2) Who has run away from home or is otherwise beyond the control of the child's parent, guardian, or custodian;
- (3) Whose behavior or condition endangers the child's own welfare or the welfare of others;
- (4) Who has violated any federal or state law or regulation or local ordinance for which there is not a penalty of a criminal nature for an adult, other than a violation of subdivision 34-46-2(2) or a petty offense;
- (5) Who has violated § 32-23-21 or 35-9-2; or
- (6) Who engages in prostitution by offering to engage in sexual activity for a fee or other compensation.

Section 2. That § 22-23-1 be amended to read:

22-23-1. A person who is eighteen years of age or older and who engages in or offers to engage in sexual activity for a fee or other compensation is guilty of prostitution, a Class 1 misdemeanor.

Section 3. That § 22-23-9 be amended to read:

22-23-9. A person who hires or attempts to hire another person for a fee or other compensation to engage in sexual activity is guilty of a Class 1 misdemeanor. A person who is convicted of, or has pled guilty to, one or more violations of this section or § 22-23-2 in the previous ten years is guilty of a Class 6 felony.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1063

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1063
File No. _____
Chapter No. _____

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Received at this Executive Office this ____ day of _____ ,

20__ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20__

Governor

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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____ , 20__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State