

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 88

BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

1 AN ACT
2 RELATING TO COMMERCIAL SEXUAL ACTIVITY; AMENDING SECTION 18-5614, IDAHO
3 CODE, TO PROVIDE THAT SOLICITING COMMERCIAL SEXUAL ACTIVITY SHALL BE A
4 FELONY AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY
5 AND PROVIDING AN EFFECTIVE DATE.

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 18-5614, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 18-5614. SOLICITING COMMERCIAL SEXUAL ACTIVITY. (1) A person is
10 guilty of soliciting commercial sexual activity when he or she:
11 (a) Pays, offers to pay, or agrees to pay another person a fee for the
12 purpose of engaging in sexual contact; or
13 (b) Offers a third person to engage in, or agrees to provide a third per-
14 son to engage in, sexual contact in return for a fee.
15 (2) ~~Soliciting commercial sexual activity shall be a misdemeanor, pro-~~
16 ~~vided that a second or subsequent conviction therefor shall be a felony. Any~~
17 ~~person convicted of a misdemeanor violation of this section shall be sen-~~
18 ~~tenced to a minimum period of confinement of five (5) days in jail and may~~
19 ~~be sentenced to up to one (1) year in jail or fined up to two thousand dol-~~
20 ~~lars (\$2,000), or both. The minimum period of confinement shall be served in~~
21 ~~a county jail, and a court shall not have the power to suspend, withhold, re-~~
22 ~~tain jurisdiction over, or commute the minimum period of confinement imposed~~
23 ~~pursuant to this section felony.~~

24 SECTION 2. An emergency existing therefor, which emergency is hereby
25 declared to exist, this act shall be in full force and effect on and after
26 July 1, 2025.