

**House Judiciary Reported Substitute for HB158**

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5 A BILL

6 TO BE ENTITLED

7 AN ACT

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9 Relating to crimes and offenses; to amend Sections
10 13A-12-113, 13A-12-121, and 13A-12-122, Code of Alabama 1975,
11 to increase the penalty for the crime of promoting
12 prostitution; and to increase the penalty for the crime of
13 soliciting prostitution under certain conditions, including
14 repeat violations and soliciting certain victims.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. Sections 13A-12-113, 13A-12-121, and
17 13A-12-122, Code of Alabama 1975, are amended to read as
18 follows:

19 "§13A-12-113

20 (a) A person commits the crime of promoting
21 prostitution in the third degree if he or she knowingly
22 advances or profits from prostitution.

23 (b) Promoting prostitution in the third degree is a
24 ~~Class A misdemeanor~~ Class D felony."

25 "§13A-12-121

26 (a) No person shall commit an act of prostitution as
27 defined in Section 13A-12-120.

28 (b) (1) No person shall solicit, compel, or coerce any

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29 person to have sexual intercourse or participate in any
30 natural or unnatural sexual act, sodomy, or sexual contact for
31 monetary consideration or other thing of marketable value.

32 (2) A person who violates this subsection shall be
33 punished as follows:

34 a. On a first violation, the person shall be guilty of
35 a Class A misdemeanor.

36 b. On a second violation, the person shall be guilty of
37 a Class A misdemeanor and shall be sentenced to serve not less
38 than five days in the county jail. The person shall be
39 required to pay the housing, maintenance, and medical costs
40 associated with his or her incarceration as provided in
41 Section 14-6-22.

42 c. On a third or subsequent violation, the person shall
43 be guilty of a Class D felony and shall be sentenced to serve
44 not less than 30 days in the county jail. Time served in the
45 county jail prior to the person's conviction shall be credited
46 toward the sentence.

47 (3) a. If the person solicited, compelled, or coerced a
48 trafficking victim, as defined under Section 13A-6-151, to
49 engage in sexual intercourse, a sexual act, sodomy, or sexual
50 contact, the person shall be guilty of a Class D felony.

51 b. It is not a defense to prosecution under this
52 subdivision that the defendant did not know the victim was a
53 trafficking victim.

54 (c) No person shall agree to engage in sexual
55 intercourse, sodomy, or sexual contact with another or
56 participate in the act for monetary consideration or other

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57 thing of marketable value and give or accept monetary
58 consideration or other thing of value in furtherance of the
59 agreement.

60 (d) No person shall knowingly do any of the following:

61 (1) Cause or aid a person to commit or engage in
62 prostitution.

63 (2) Procure or solicit patrons for prostitution.

64 (3) Provide persons or premises for prostitution
65 purposes.

66 (4) Receive or accept money or other thing of value
67 pursuant to a prior agreement with any person whereby he or
68 she participates or is to participate in the proceeds of any
69 prostitution activity.

70 (5) Operate or assist in the operation of a house of
71 prostitution or a prostitution enterprise."

72 "§13A-12-122

73 (a) Each~~—~~Except as otherwise provided in Section
74 13A-12-121(b), each violation of Section 13A-12-121 is a Class
75 A misdemeanor.

76 (b) A violation of Section 13A-12-121.1 is a Class B
77 felony."

78 Section 2. This act shall become effective on October
79 1, 2026.