

Bill No. 39-15
Concerning: Offenses – Purchase of
Prostitution – Prohibited
Revised: 11-9-15 Draft No. 7
Introduced: September 29, 2015
Enacted: November 17, 2015
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsors: Councilmembers Hucker and Rice
Co-sponsor: Councilmembers Navarro, Riemer, Berliner, Elrich, Katz, and Council Vice President
Floreen

AN ACT to:

- (1) prohibit the purchase of prostitution;
- (2) establish enforcement procedures and penalties; and
- (3) generally amend County law relating to offenses.

By adding

Montgomery County Code
Chapter 32, Offenses – Purchase of Prostitution
Section 32-23A

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec 1. Sections 32-23A is added as follows:**

2 **32-23A. Purchase of prostitution.**

3 **(a) Findings.**

- 4 **(1) Due to its location on the I-95 corridor, low crime rate, and high**
 5 **disposable income, Montgomery County has become a prime**
 6 **location for human trafficking;**
 7 **(2) a significant number of prostitutes working in Montgomery**
 8 **County are victims of human trafficking; and**
 9 **(3) the United States Department of Justice has found strong**
 10 **evidence to support a demand-reduction approach to combatting**
 11 **human trafficking.**

12 **(b) Definitions.**

13 **In this Section, the following terms have the meanings indicated:**

14 **Human trafficking means the recruitment, transportation, transfer,**
 15 **harboring or receipt of persons, by means of the threat or use of force**
 16 **or other forms of coercion, of abduction, of fraud, of deception, of the**
 17 **abuse of power or of a position of vulnerability or of the giving or**
 18 **receiving of payments or benefits to achieve the consent of a person**
 19 **having control over another person, for the purpose of exploitation.**

20 **Prostitution means the performance of a sexual act, sexual contact, or**
 21 **vaginal intercourse for hire.**

22 **Purchase means to offer or agree to pay money or something of value**
 23 **to another person in return for a service.**

24 **Sexual act has the meaning stated in Md. Criminal Law Art. §3-301, as**
 25 **amended.**

26 **Sexual contact has the meaning stated in Md. Criminal Law Art. §3-**
 27 **301, as amended.**

28 Vaginal intercourse has the meaning stated in Md. Criminal Law Art.
29 §3-301, as amended.

30 ~~[(b)]~~ (c) **Prohibition.** A person must not purchase prostitution in the
31 County.

32 ~~[(c)]~~ (d) **Enforcement; penalties.**

33 (1) A police officer may issue a civil citation or a criminal citation
34 to a person whom the officer reasonably believes has violated
35 this Section.

36 (2) A violation of this Section is a Class A violation.

37 *Approved:*

38  11/18/2015
George Leventhal, President, County Council Date

39 *Approved:*

40 _____
Isiah Leggett, County Executive Date

41 *This is a correct copy of Council action.*

42 _____
Linda M. Lauer, Clerk of the Council Date

43