

Prostitution Laws of Texas

§ 43.01: DEFINITIONS

§ 43.02: PROSTITUTION

§ 43.03: PROMOTION OF PROSTITUTION

§ 43.04: AGGRAVATED PROMOTION OF PROSTITUTION

§ 43.05: COMPELLING PROSTITUTION

§ 43.06: ACCOMPLICE WITNESS; TESTIMONY AND IMMUNITY

§ 43.01: DEFINITIONS

In this subchapter:

- (1) "Deviate sexual intercourse" means any contact between the genitals of one person and the mouth or anus of another person.
- (2) "Prostitution" means the offense defined in Section 43.02.
- (3) "Sexual contact" means any touching of the anus, breast, or any part of the genitals of another person with intent to arouse or gratify the sexual desire of any person.
- (4) "Sexual conduct" includes deviate sexual intercourse, sexual contact, and sexual intercourse.
- (5) "Sexual intercourse" means any penetration of the female sex organ by the male sex organ.

§ 43.02: PROSTITUTION

(a) A person commits an offense if he knowingly:

- (1) offers to engage, agrees to engage, or engages in sexual conduct for a fee; or
- (2) solicits another in a public place to engage with him in sexual conduct for hire.

(b) An offense is established under Subsection (a)(1) whether the actor is to receive or pay a fee. An offense is established under Subsection (a)(2) whether the actor solicits a person to hire him or offers to hire the person solicited.

(c) An offense under this section is a Class B misdemeanor, unless the actor has previously been convicted one or two times of an offense under this section, in which event it is a Class A misdemeanor. If the actor has previously been convicted three or more times of an offense under this section, the offense is a state jail felony.

§ 43.03: PROMOTION OF PROSTITUTION

(a) A person commits an offense if, acting other than as a prostitute receiving compensation for personally rendered prostitution services, he or she knowingly:

- (1) receives money or other property pursuant to an agreement to participate in the proceeds of prostitution; or
- (2) solicits another to engage in sexual conduct with another person for compensation.

(b) An offense under this section is a Class A misdemeanor.

§ 43.04: AGGRAVATED PROMOTION OF PROSTITUTION

(a) A person commits an offense if he knowingly owns, invests in, finances, controls, supervises, or manages a prostitution enterprise that uses two or more prostitutes.

(b) An offense under this section is a felony of the third degree.

§ 43.05: COMPELLING PROSTITUTION

(a) A person commits an offense if he knowingly:

- (1) causes another by force, threat, or fraud to commit prostitution; or
- (2) causes by any means a person younger than 17 years to commit prostitution.

(b) An offense under this section is a felony of the second degree.

§ 43.06: ACCOMPLICE WITNESS; TESTIMONY AND IMMUNITY

(a) A party to an offense under this subchapter may be required to furnish evidence or testify about the offense.

(b) A party to an offense under this subchapter may not be prosecuted for any offense about which he is required to furnish evidence or testify, and the evidence and testimony may not be used against the party in any adjudicatory proceeding except a prosecution for aggravated perjury.

(c) For purposes of this section, "adjudicatory proceeding" means a proceeding before a court or any other agency of government in which the legal rights, powers, duties, or privileges of specified parties are determined.

(d) A conviction under this subchapter may be had upon the uncorroborated testimony of a party to the offense.