

Prostitution Laws of Utah

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76-10-1301: Definitions

For the purposes of this part:

(1) "House of prostitution" means a place where prostitution or promotion of prostitution is regularly carried on by one or more persons under the control, management, or supervision of another.

(2) "Inmate" means a person who engages in prostitution in or through the agency of a house of prostitution.

(3) "Public place" means any place to which the public or any substantial group of the public has access.

(4) "Sexual activity" means acts of masturbation, sexual intercourse, or any sexual act involving the genitals of one person and the mouth or anus of another person, regardless of the sex of either participant.

76-10-1302: Prostitution

(1) A person is guilty of prostitution when:

(a) he engages in any sexual activity with another person for a fee;

(b) is an inmate of a house of prostitution; or

(c) loiters in or within view of any public place for the purpose of being hired to engage in sexual activity.

(2) Prostitution is a class B misdemeanor. However, any person who is convicted a second time, and on all subsequent convictions, under this section or under a local ordinance adopted in compliance with Section 76-10-1307 is guilty of a class A misdemeanor, except as provided in Section 76-10-1309.

76-10-1303: Patronizing a prostitute

(1) A person is guilty of patronizing a prostitute when:

(a) he pays or offers or agrees to pay another person a fee for the purpose of engaging in an act of sexual activity; or

(b) he enters or remains in a house of prostitution for the purpose of engaging in sexual activity.

(2) Patronizing a prostitute is a class B misdemeanor, except as provided in Section 76-10-1309.

76-10-1304: Aiding prostitution

(1) A person is guilty of aiding prostitution if he:

(a) solicits a person to patronize a prostitute;

(b) procures or attempts to procure a prostitute for a patron;

(c) leases or otherwise permits a place controlled by the actor, alone or in association with another, to be used for prostitution or the promotion of prostitution; or

(d) solicits, receives, or agrees to receive any benefit for doing any of the acts prohibited by this

subsection.

(2) Aiding prostitution is a class B misdemeanor. However, a person who is convicted a second time, and on all subsequent convictions, under this section or under a local ordinance adopted in compliance with Section 76-10-1307 is guilty of a class A misdemeanor.

76-10-1305: Exploiting prostitution

(1) A person is guilty of exploiting prostitution if he:

(a) procures an inmate for a house of prostitution or place in a house of prostitution for one who would be an inmate;

(b) encourages, induces, or otherwise purposely causes another to become or remain a prostitute;

(c) transports a person into or within this state with a purpose to promote that person's engaging in prostitution or procuring or paying for transportation with that purpose;

(d) not being a child or legal dependent of a prostitute, shares the proceeds of prostitution with a prostitute pursuant to their understanding that he is to share therein; or

(e) owns, controls, manages, supervises, or otherwise keeps, alone or in association with another, a house of prostitution or a prostitution business.

(2) Exploiting prostitution is a felony of the third degree.

76-10-1306: Aggravated exploitation of prostitution

(1) A person is guilty of aggravated exploitation if:

(a) in committing an act of exploiting prostitution, as defined in Section 76-10-1305, he uses any force, threat, or fear against any person; or

(b) the person procured, transported, or persuaded or with whom he shares the proceeds of prostitution is under eighteen years of age or is the wife of the actor.

(2) Aggravated exploitation of prostitution is a felony of the second degree.

76-10-1307: Local ordinance consistent with code provisions

An ordinance adopted by a local authority governing prostitution or aiding prostitution shall be consistent with the provisions of this part which govern those matters.

76-10-1309: Enhanced penalties -- HIV positive offender

A person who is an HIV positive individual and has actual knowledge of that fact and has received written personal notice of the positive test results from a law enforcement agency pursuant to Section 76-10-1312 and is convicted of:

(1) prostitution under Section 76-10-1302 shall be guilty of a felony of the third degree;

(2) patronizing a prostitute under Section 76-10-1303 shall be guilty of a felony of a third degree;
or

(3) sexual solicitation under Section 76-10-1313 shall be guilty of a felony of the third degree.