

HB 1835 -- PROSTITUTION

SPONSOR: Adams

This bill allows a person charged with the offense of prostitution committed as a direct result of being a victim of trafficking to assert as an affirmative defense that he or she is a victim of trafficking. The bill also specifies what such person is required to demonstrate to prove the affirmative defense.

If a person was previously charged with felony prostitution, he or she may apply to the court for expungement of his or her records under Section 610.140, RSMo. An official determination is not required to grant the motion; however, official documentation from a federal, state, local, or tribal government indicating the defendant was a victim at the time of the offense creates a presumption that his or her participation in the offense was a direct result of being a victim.

A minor who is suspected of committing the offense of prostitution is immune from criminal prosecution, and law enforcement shall take the minor into temporary protective custody as an abused child.

A prosecutor shall not make prostitution a felony offense if, at the time of the commission of the offense, the offender was under the control of an agent.

This bill is similar to HB 394 (2017).