



# OHIO LEGISLATIVE SERVICE COMMISSION

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## Bill Analysis

Dennis M. Papp

### **S.B. 267**

132nd General Assembly  
(As Introduced)

**Sens.** Brown and Kunze, Schiavoni, LaRose, Tavares

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### **BILL SUMMARY**

- Increases the penalty for soliciting to a first degree misdemeanor when the person solicited is age 18 or older.
  - Specifies that a court may impose a fine for soliciting in this circumstance of not more than \$2,500.
  - Allows the court to designate up to \$1,000 of the fine imposed for soliciting in this circumstance to be deposited into the Victims of Human Trafficking Fund.
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### **CONTENT AND OPERATION**

#### **Soliciting – increased penalty**

The bill increases the penalty for the offense of "soliciting" when the prohibited conduct involved is a person's solicitation of another who is age 18 years or older to engage with that person in sexual activity for hire. Under current law, soliciting in this circumstance is a third degree misdemeanor. The bill raises the penalty for soliciting in this circumstance to a first degree misdemeanor, punishable by up to 180 days in jail. Generally, the potential fine for a first degree misdemeanor is not more \$1,000. The bill allows the court, notwithstanding that general limit, to impose a fine of up to \$2,500 for soliciting in this circumstance.<sup>1</sup>

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<sup>1</sup> R.C. 2907.24(A)(1) and (C)(1)(a).

## Victims of Human Trafficking Fund

If the court imposes a fine of any amount for soliciting in the circumstance described above, the bill allows the court to designate not more than \$1,000 of the fine to be deposited into the Victims of Human Trafficking Fund. The clerk of the court must deposit the designated portion of the fine into the state treasury to the credit of the Victims of Human Trafficking Fund, and must deposit the remainder of the fine into the county treasury (currently, fine money paid for a misdemeanor violation of a state law generally is deposited into the treasury of the county in which the court that heard the case is located<sup>2</sup>). As under current law, money in the Victims of Human Trafficking Fund must be used for the sole purpose of providing treatment and other specified services to trafficking victims. The Director of Job and Family Services administers the fund.<sup>3</sup>

Other prohibitions under soliciting several prohibitions in addition to the one to which the bill pertains are included under the offense of soliciting – the bill does not change the existing penalty for a violation of any of those other prohibitions or the existing authorization in specified circumstances for a driver's or commercial driver's license or permit suspension for a violation of any of the prohibitions under the offense.<sup>4</sup>

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## HISTORY

ACTION	DATE
Introduced	02-26-18

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<sup>2</sup> R.C. 1901.31(F) and 1907.20(C), not in the bill, for municipal courts and county courts, respectively.

<sup>3</sup> R.C. 2907.24(C)(1)(a)(ii) and (E) and 5101.87.

<sup>4</sup> R.C. 2907.24(A)(2) to (D).

