

St. Louis City Ordinance 62292

FLOOR SUBSTITUTE

BOARD BILL NO. [91] 04

INTRODUCED BY ALDERMAN MARTIE J. ABOUSSIE , MARIT CLARK ,
JACK GARVEY , MICHAEL SHEEHAN , FREEMAN BOSLEY

An Ordinance prohibiting prostitution, public solicitation, and patronizing prostitution, and containing definitions, penalty clause and emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. As used in this Ordinance, the following terms mean:

1. Prostitution: A person commits prostitution if he engages or offers or agrees to engage in sexual conduct with another person in return for something of value to be received by the person or by a third person;

2. "Patronizing prostitution". A person patronizes prostitution if:

a. Pursuant to a prior understanding, he gives something of value to another person as compensation for that person or a third person having engaged in sexual conduct with him or with another; or

b. He gives or agrees to give something of value to another person on an understanding that in return therefor that person or a third person will engage in sexual conduct with him or with another; or

c. He solicits or requests another person to engage in sexual conduct with him or with another, or to secure a third person to engage in sexual conduct with him or with another, in return for something of value.

3. Public Solicitation: A person commits public solicitation when while in a public street, sidewalk, alley, park or any other public place or in a place of public accommodation, or in a place that is frequented by the general public engages or offers to engage in sexual conduct with another person or a third person.

4. Sexual conduct occurs when there is:

(a) "Sexual intercourse" which means any penetration, however slight, of the female sex organ by the male sex organ, whether or not an emission results; or

(b)"Deviate sexual intercourse" which means any sexual act involving the genitals of one person and the mouth, hand, tongue or anus of another person; or

(c)"Sexual contact" which means any touching, manual or otherwise, of the anus or genitals of one person by another, done for the purpose of arousing or gratifying sexual desire of either party.

5."Something of value" means any money or property, or any token, object or article exchangeable for money or property.

SECTION TWO. Prostitution, public solicitation and patronizing prostitution -- sex of parties no defense, when. -- In any prosecution for prostitution, public solicitation or patronizing prostitution, the sex of the two parties or prospective parties to the sexual conduct engaged in contemplated or solicited is immaterial, and it is no defense that

(1)Both persons were of the same sex; or

(2)The person who received, agreed to receive or solicited something of value was a male and the person who gave or agreed or offered to give something of value was a female.

SECTION THREE. It shall be a violation of this Ordinance for a person to commit prostitution, public solicitation or patronizing prostitution.

Upon the first conviction of this ordinance the person so convicted shall be fined not less than two hundred fifty dollars nor more than five hundred dollars and shall be sentenced to imprisonment for a term of not less than thirty days nor more than ninety days. The judge may not suspend or stay the imposition of any money judgment imposed hereunder but the judge may place the defendant on probation or parole in lieu of imprisonment.

Upon the second and any subsequent conviction of this ordinance, any person convicted shall be sentenced to imprisonment for a term of not less than sixty days nor more than ninety days. The judge on the second and any subsequent conviction may not suspend or stay the imposition of any sentence or suspend or stay any sentence, nor place the defendant on probation or parole, but the judge may stay the execution of any sentence for a specified period of time, not to exceed six months.

Anyone convicted of violating this ordinance shall have their name and address published in the City Journal.

SECTION FOUR. Emergency Clause. This being an Ordinance necessary for the immediate preservation of public peace, health and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore this Ordinance shall become effective immediately upon its passage and approval by the Mayor.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
04/26/91	04/26/91	PS		05/21/91
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
05/24/91			05/31/91	05/31/91
ORDINANCE	VETOED		VETO OVR	
62292				