

CHAPTER 13 – MISCELLANEOUS PROVISIONS AND OFFENSES

Sec. 13-61. Prostitution and related offenses.

- (a) A person is guilty of a misdemeanor who:
 - (1) Offers to, agrees to, or commits an act of prostitution.
 - (2) Solicits or hires another person to commit an act of prostitution.
 - (3) Is in a public place or place open to public view and manifests an intent to commit an act of prostitution.
 - (4) Aids or abets the commission of any of the acts prohibited by this section.
- (b) Definitions. In this section:
 - (1) Prostitution means the act of performing sexual activity for hire by a male or female person.
 - (2) Sexual activity means vaginal or anal intercourse, fellatio, cunnilingus, anilingus, masturbation, sodomy or bestiality.
- (c) Penalty.
 - (1) A person convicted of a violation of subsection (a) of this section is guilty of a misdemeanor punishable by imprisonment for a term of not less than five (5) days nor more than six (6) months and, in the discretion of the court, a fine not to exceed the amount specified in section 1-5.
 - (2) Upon a second conviction, a person convicted of a violation of subsection (a) of this section is guilty of a misdemeanor punishable by imprisonment for a term of not less than thirty (30) days nor more than six (6) months and, in the discretion of the court, a fine not to exceed the amount specified in section 1-5.
 - (3) Upon a third conviction, a person convicted of a violation of subsection (a) of this section is guilty of a misdemeanor punishable by imprisonment for a term of not less than sixty (60) days nor more than six (6) months and, in the discretion of the court, a fine not to exceed the amount specified in section 1-5.
 - (4) Upon a fourth or subsequent conviction, a person convicted of a violation of subsection (a) of this section is guilty of a misdemeanor punishable by imprisonment for a term of not less than one hundred eighty (180) days and, in the discretion of the court, a fine not to exceed the amount specified in section 1-5.

CHAPTER 13 – MISCELLANEOUS PROVISIONS AND OFFENSES

- (5) In no case shall a person convicted of a violation of subsection (a) of this section be eligible for suspension or commutation of sentence unless such person is placed on probation with the condition that the minimum mandatory term of imprisonment be served.

State law reference(s) -- Prostitution, A.R.S. §13-3201 et seq.
(Code 1977, § 5-1-16)