

§853-A. Engaging in prostitution

1. A person who has in fact attained 18 years of age is guilty of engaging in prostitution if:

A. The person engages in prostitution as defined in section 851. Violation of this paragraph is a Class E crime, except that the sentencing alternative may include only the penalties provided in section 1704, subsection 5 and section 1705, subsection 5; or [PL 2019, c. 113, Pt. C, §64 (AMD).]

B. The person violates paragraph A and, at the time of the offense, the person has one or more prior convictions under this section or for engaging in substantially similar conduct to that contained in this section in another jurisdiction. Section 9-A governs the use of prior convictions when determining a sentence, except that, for the purposes of this paragraph, the date of the prior conviction may not precede the commission of the offense by more than 2 years. Violation of this paragraph is a Class E crime. [PL 2019, c. 316, §1 (AMD).]

[PL 2019, c. 113, Pt. C, §64 (AMD); PL 2019, c. 131, §1 (AMD); PL 2019, c. 316, §1 (AMD).]

2.

[PL 2001, c. 383, §100 (RP); PL 2001, c. 383, §156 (AFF).]

3.

[PL 2001, c. 383, §101 (RP); PL 2001, c. 383, §156 (AFF).]

4. It is a defense to prosecution under this section that the person engaged in prostitution because the person was compelled to do so as described in section 852, subsection 2.

[PL 2021, c. 315, §1 (AMD).]

5. It is a defense to prosecution under this section that the person engaged in prostitution to prevent bodily injury, serious economic hardship or another threat to the person or another person.

[PL 2021, c. 315, §2 (NEW).]

SECTION HISTORY

PL 1975, c. 499, §1 (NEW). PL 1981, c. 245, §1 (AMD). PL 1987, c. 361, §2 (AMD). PL 1989, c. 431, §2 (AMD). PL 2001, c. 383, §§99,101 (AMD). PL 2001, c. 383, §156 (AFF). PL 2007, c. 476, §29 (AMD). PL 2013, c. 537, §5 (AMD). PL 2019, c. 113, Pt. C, §64 (AMD). PL 2019, c. 131, §1 (AMD). PL 2019, c. 316, §1 (AMD). PL 2021, c. 315, §§1, 2 (AMD).

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