

CHAPTER 59  
FORMERLY  
SENATE BILL NO. 60  
AS AMENDED BY  
HOUSE AMENDMENT NO. 4

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 1342, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1342 Prostitution; class B misdemeanor.

(a)(1) A person, 18 years or older, is guilty of prostitution when the person engages or agrees or offers to engage in sexual conduct with another person in return for a fee.

(2) Prostitution is a class B misdemeanor.

(b)(1) Any person, 18 years or older, found guilty of an act of prostitution when such crime has occurred on or within 1,000 feet of the property of any school, residence, church, synagogue or other place of worship shall be guilty of a class A misdemeanor. The minimum mandatory fine shall be \$500. This fine shall not be suspended.

(2) It shall not be a defense to prosecution for a violation of this section that the person was unaware that the prohibited conduct took place on or within 1,000 feet of any school property, residence, church, synagogue or other place of worship.

(c) A minor who, if 18 years or older, could be charged with prostitution as defined in subsection (a) of this section, is presumed to be a neglected or abused child under § 901 of Title 10. Whenever a police officer has probable cause to believe that a minor has engaged in prostitution, the police officer shall make an immediate report to the Department of Services for Children, Youth and Their Families pursuant to § 903 of Title 16.

Approved June 20, 2019