

TITLE 6: CRIMES AND CRIMINAL PROCEDURE
DIVISION 1: CRIMES AGAINST THE PERSON

§ 1346. Penalties.

(a) Every person who knowingly engages in prostitution, in patronizing a prostitute, in permitting prostitution or in prostitution loitering is guilty of a misdemeanor and shall be subject to not more than 90 days imprisonment or a fine of not more than \$1,000 or both, for the first violation.

(b) Every person who knowingly engages in prostitution, patronizing a prostitute, permitting prostitution, or prostitution loitering more than once within a five year period shall be guilty of a misdemeanor and shall be subject to not more than one year imprisonment or fine of not more than \$1,000 or both for each such violation.

(c) Every person who is found guilty of promoting prostitution in the second degree or who knowingly engages in sexual exploitation of any person or who employs or causes to be employed any person for the purpose of offering or performing sexual services for pay shall be subject to imprisonment for no more than five years or a fine of not more than \$1,000 or both, for each violation.

(d) Every person who found guilty of promoting prostitution in the first degree shall be subject to imprisonment of not more than 10 years or a fine of not more than \$20,000, or both, for each violation.

(e) Mandatory fees for conviction of prostitution-related offenses.

(1) In addition to other penalties set forth in this article, a person who is either convicted or given a deferred sentence as a result of an arrest for prostitution loitering, first offense prostitution, first offense patronizing a prostitute, or first offense permitting prostitution shall be assessed a fee of \$500.

(2) In addition to other penalties set forth in this article, a person who is either convicted or given a deferred sentence as a result of an arrest for promoting prostitution, or second offense prostitution, second offense patronizing a prostitute, second offense permitting prostitution, second offense prostitution loitering within a five year period shall be assessed a fee of \$2,000.

(3) The court may not suspend payment of all or part of the fee unless it finds that the person does not have the ability to pay. Any fee assessed under this section shall be collected by the clerk of court and deposited into a special account separate from the general fund for the specific purpose of funding enforcement of this article. These funds shall be appropriated annually by the legislature to the Department of Public Safety and shall not be reprogrammed for any other purpose or to any other agency.

(f) In addition to any criminal penalties, the court may order any or all of the following:

(1) A temporary suspension or permanent revocation of the business license of the violator if the business was used for prostitution or permitting prostitution and the violator was convicted of such an offense.

(2) A temporary or permanent bar on the issuance of all foreign national worker certificates of the violator if it was found by the court that the violator committed a prostitution offense prohibited under this article.

Source: PL 8-14, § 7; amended by PL 11-19, § 6; (f)(2); amended by global amendment PL 15-108, § 5.

Commission Comment: PL 11-19 took effect July 9, 1998. See also the Commission comments to 6 CMC § 1341.