

ASSEMBLY BILL NO. 151—ASSEMBLYMEMBER GRAY

PREFILED JANUARY 30, 2025

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to the crime of solicitation of prostitution. (BDR 14-208)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to crimes; providing that a customer convicted of solicitation of a child for prostitution is a Tier II offender for the purposes of sex offender registration and community notification; providing that committing the crime of solicitation of prostitution under certain circumstances constitutes a sexual offense for the purposes of various provisions; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law defines “crime against a child” as certain crimes committed against a victim who was less than 18 years of age at the time of the offense and provides that a person convicted of such a crime is a Tier II offender for the purposes of offender registration and community notification. (NRS 179D.0357, 179D.115) **Sections 1 and 3** of this bill provide that a customer convicted of solicitation of a child for prostitution is a Tier II offender for the purposes of sex offender registration and community notification.

Existing law defines the term “sexual offense” for the purposes of requiring persons convicted of certain sexual offenses to be prohibited from certain employment, to register as a sex offender, to comply with certain mandatory conditions of probation or parole and to fulfill certain other requirements. (NRS 118A.335, 176.0913, 176A.410, 179D.095, 179D.097, 179D.441, 213.1099, 213.1245) **Section 2** of this bill revises the list of sexual offenses to which these statutory provisions apply to include the offense of solicitation for prostitution, when committed by a customer and other than soliciting a child for prostitution. **Section 4** of this bill makes a conforming change related to the numbering changes made in **section 2**.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 179D.0357 is hereby amended to read as
2 follows:

3 179D.0357 “Crime against a child” means any of the following
4 offenses if the victim of the offense was less than 18 years of age
5 when the offense was committed:

6 1. Kidnapping pursuant to NRS 200.310 to 200.340, inclusive,
7 unless the offender is the parent or guardian of the victim.

8 2. False imprisonment pursuant to NRS 200.460, unless the
9 offender is the parent or guardian of the victim.

10 3. Involuntary servitude of a child pursuant to NRS 200.4631,
11 unless the offender is the parent or guardian of the victim.

12 4. An offense involving sex trafficking pursuant to subsection
13 2 of NRS 201.300 or prostitution pursuant to NRS 201.320 ,
14 *subsection 2 of NRS 201.354* or *NRS 201.395*.

15 5. An attempt to commit an offense listed in this section.

16 6. An offense committed in another jurisdiction that, if
17 committed in this State, would be an offense listed in this section.
18 This subsection includes, without limitation, an offense prosecuted
19 in:

20 (a) A tribal court.

21 (b) A court of the United States or the Armed Forces of the
22 United States.

23 7. An offense against a child committed in another jurisdiction,
24 whether or not the offense would be an offense listed in this section,
25 if the person who committed the offense resides or has resided or is
26 or has been a student or worker in any jurisdiction in which the
27 person is or has been required by the laws of that jurisdiction to
28 register as an offender who has committed a crime against a child
29 because of the offense. This subsection includes, without limitation,
30 an offense prosecuted in:

31 (a) A tribal court.

32 (b) A court of the United States or the Armed Forces of the
33 United States.

34 (c) A court having jurisdiction over juveniles.

35 **Sec. 2.** NRS 179D.097 is hereby amended to read as follows:

36 179D.097 1. “Sexual offense” means any of the following
37 offenses:

38 (a) Murder of the first degree committed in the perpetration or
39 attempted perpetration of sexual assault or of sexual abuse or sexual
40 molestation of a child less than 14 years of age pursuant to
41 paragraph (b) of subsection 1 of NRS 200.030.

42 (b) Sexual assault pursuant to NRS 200.366.



- 1 (c) Statutory sexual seduction pursuant to NRS 200.368.
- 2 (d) Battery with intent to commit sexual assault pursuant to
- 3 subsection 4 of NRS 200.400.
- 4 (e) An offense involving the administration of a drug to another
- 5 person with the intent to enable or assist the commission of a felony
- 6 pursuant to NRS 200.405, if the felony is an offense listed in this
- 7 subsection.
- 8 (f) An offense involving the administration of a controlled
- 9 substance to another person with the intent to enable or assist the
- 10 commission of a crime of violence, if the crime of violence is an
- 11 offense listed in this section.
- 12 (g) Abuse of a child pursuant to NRS 200.508, if the abuse
- 13 involved sexual abuse or sexual exploitation.
- 14 (h) An offense involving pornography and a minor pursuant to
- 15 NRS 200.710 to 200.730, inclusive.
- 16 (i) Fertility fraud pursuant to paragraph (a) of subsection 1 of
- 17 NRS 200.975.
- 18 (j) Incest pursuant to NRS 201.180.
- 19 (k) Open or gross lewdness pursuant to NRS 201.210.
- 20 (l) Indecent or obscene exposure pursuant to NRS 201.220.
- 21 (m) Lewdness with a child pursuant to NRS 201.230.
- 22 (n) *Solicitation for prostitution, other than soliciting a child*
- 23 *for prostitution, pursuant to NRS 201.354.*
- 24 (o) Sexual penetration of a dead human body pursuant to
- 25 NRS 201.450.
- 26 ~~(p)~~ (p) Sexual conduct between certain employees of a school
- 27 or volunteers at a school and a pupil pursuant to NRS 201.540.
- 28 ~~(q)~~ (q) Sexual conduct between certain employees of a college
- 29 or university and a student pursuant to NRS 201.550.
- 30 ~~(r)~~ (r) Luring a child or a person with mental illness pursuant
- 31 to NRS 201.560, if punished as a felony.
- 32 ~~(s)~~ (s) Sex trafficking pursuant to NRS 201.300.
- 33 ~~(t)~~ (t) Any other offense that has an element involving a
- 34 sexual act or sexual conduct with another.
- 35 ~~(u)~~ (u) An attempt or conspiracy to commit an offense listed in
- 36 paragraphs (a) to ~~(s)~~ (t), inclusive.
- 37 ~~(v)~~ (v) An offense that is determined to be sexually motivated
- 38 pursuant to NRS 175.547 or 207.193.
- 39 ~~(w)~~ (w) An offense committed in another jurisdiction that, if
- 40 committed in this State, would be an offense listed in this
- 41 subsection. This paragraph includes, without limitation, an offense
- 42 prosecuted in:
 - 43 (1) A tribal court.
 - 44 (2) A court of the United States or the Armed Forces of the
 - 45 United States.



1 ~~[(w)]~~ (x) An offense of a sexual nature committed in another
2 jurisdiction, whether or not the offense would be an offense listed in
3 this section, if the person who committed the offense resides or has
4 resided or is or has been a student or worker in any jurisdiction in
5 which the person is or has been required by the laws of that
6 jurisdiction to register as a sex offender because of the offense. This
7 paragraph includes, without limitation, an offense prosecuted in:

8 (1) A tribal court.

9 (2) A court of the United States or the Armed Forces of the
10 United States.

11 (3) A court having jurisdiction over juveniles.

12 2. Except for the offenses described in paragraphs ~~[(e)]~~ (p) and
13 ~~[(p)]~~ (q) of subsection 1, the term does not include an offense
14 involving consensual sexual conduct if the victim was:

15 (a) An adult, unless the adult was under the custodial authority
16 of the offender at the time of the offense; or

17 (b) At least 13 years of age and the offender was not more than
18 4 years older than the victim at the time of the commission of the
19 offense.

20 **Sec. 3.** NRS 179D.115 is hereby amended to read as follows:

21 179D.115 "Tier II offender" means an offender convicted of a
22 crime against a child or a sex offender, other than a Tier III
23 offender, whose crime against a child is punishable by
24 imprisonment for more than 1 year or whose sexual offense:

25 1. If committed against a child, constitutes:

26 (a) Luring a child pursuant to NRS 201.560, if punishable as a
27 felony;

28 (b) Abuse of a child pursuant to NRS 200.508, if the abuse
29 involved sexual abuse or sexual exploitation;

30 (c) An offense involving sex trafficking pursuant to NRS
31 201.300 or prostitution pursuant to NRS 201.320, *subsection 2 of*
32 *NRS 201.354* or *NRS 201.395*;

33 (d) An offense involving pornography and a minor pursuant to
34 NRS 200.710 to 200.730, inclusive; or

35 (e) Any other offense that is comparable to or more severe than
36 the offenses described in 34 U.S.C. § 20911(3);

37 2. Involves an attempt or conspiracy to commit any offense
38 described in subsection 1;

39 3. If committed in another jurisdiction, is an offense that, if
40 committed in this State, would be an offense listed in this section.
41 This subsection includes, without limitation, an offense prosecuted
42 in:

43 (a) A tribal court; or

44 (b) A court of the United States or the Armed Forces of the
45 United States; or



1 4. Is committed after the person becomes a Tier I offender if
2 any of the person's sexual offenses constitute an offense punishable
3 by imprisonment for more than 1 year.

4 **Sec. 4.** NRS 179D.495 is hereby amended to read as follows:

5 179D.495 If a person who is required to register pursuant to
6 NRS 179D.010 to 179D.550, inclusive, has been convicted of an
7 offense described in paragraph ~~(s)~~ (t) of subsection 1 of NRS
8 179D.097, paragraph (e) of subsection 1 or subsection 3 of NRS
9 179D.115 or subsection 7 or 9 of NRS 179D.117, the Central
10 Repository shall determine whether the person is required to register
11 as a Tier I offender, Tier II offender or Tier III offender.

12 **Sec. 5.** The amendatory provisions of this act apply to offenses
13 committed before, on or after July 1, 2025.

14 **Sec. 6.** This act becomes effective on July 1, 2025.



