

SB 267-FN - AS AMENDED BY THE HOUSE

03/06/2025 0713s
22May2025... 2330h

2025 SESSION

25-1117
09/08

SENATE BILL **267-FN**

AN ACT relative to the penalty for engaging in prostitution as a patron.

SPONSORS: Sen. Fenton, Dist 10; Sen. Long, Dist 20; Sen. Prentiss, Dist 5; Rep. N. Murphy, Hills. 12

COMMITTEE: Judiciary

AMENDED ANALYSIS

This bill establishes a mandatory \$500 fine for engaging in prostitution as a patron, in addition to any other penalty, and directs that the funds are to be forwarded to the department of justice for the purposes of funding the New Hampshire human trafficking collaborative task force.

This bill also enhances the penalty for paying, agreeing to pay, or offering to pay another person to engage in sexual contact or penetration with the payor or another person from a misdemeanor to a class A misdemeanor.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struck through]~~.
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to the penalty for engaging in prostitution as a patron.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Paragraph; Prostitution and Related Offenses. Amend RSA 645:2 by inserting after
2 paragraph IX the following new paragraph:

3 X. In addition to any other penalty authorized by law, the court shall levy a fine of \$500 for
4 each conviction under this section where the court finds that the defendant engaged in prostitution
5 as a patron. The court shall not reduce or suspend any sentence or the payment of any fine imposed
6 under this paragraph. If the court determines that the defendant is unable to pay the fine on the
7 date imposed, the court may defer payment or order periodic payments thereof. Fines imposed
8 under this paragraph shall not be subject to an additional penalty assessment and shall not be
9 subject to the provisions of RSA 618:8 or 618:9. The clerk shall forward all fines collected under this
10 paragraph to the department of justice for the purposes of funding the New Hampshire human
11 trafficking collaborative task force.

12 2 New Paragraph; Prostitution and Related Offenses. Amend RSA 645:2 by inserting after
13 paragraph I the following new paragraph:

14 I-a. A person is guilty of a class A misdemeanor if the person pays, agrees to pay, or offers to
15 pay another person to engage in sexual contact as defined in RSA 632-A:1, IV or sexual penetration
16 as defined in RSA 632-A:1, V, with the payor or with another person.

17 3 Prostitution and Related Offenses; Cross-Reference Amended. Amend the introductory
18 paragraph of RSA 645:2, II to read as follows:

19 II. A person is guilty of a class B felony if such person violates the provisions of
20 subparagraphs (b), (c), (d), **or** (e) [~~or (f)~~] of paragraph I **or the provision of paragraph I-a** and the
21 violation:

22 4 Repeal. RSA 645:2, I(f), relative to misdemeanor offense for paying, agreeing to pay, or
23 offering to pay for sexual contact or penetration, is repealed.

24 5 Effective Date. This act shall take effect January 1, 2026.

**SB 267-FN- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2025-0713s)**

AN ACT relative to the penalty for engaging in prostitution as a patron.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
Expenditures*	Indeterminable			
<i>Funding Source</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

METHODOLOGY:

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf

AGENCIES CONTACTED:

Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association