

SENATE BILL 172

Introduced by Pinsoneault, et al.

1/18	Introduced
1/18	Referred to Judiciary
1/25	Hearing
2/01	Committee Report--Bill Not Passed
2/01	Adverse Committee Report Adopted

1 *Senate* BILL NO. 172
2 INTRODUCED BY *Rep. M. Small* *Senator* *Norman*
3 *Morgan*

4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING AS A CRIME
5 SEXUAL SOLICITATION IN EXCHANGE FOR OR IN ADDITION TO FEES
6 CHARGED FOR CERTAIN PROFESSIONAL SERVICES; PROVIDING A
7 PENALTY; AND PROVIDING FOR PAYMENT OF THE VICTIM'S
8 PSYCHOLOGICAL, PSYCHIATRIC, COUNSELING, AND MEDICAL COSTS."
9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 NEW SECTION. Section 1. Sexual solicitation in
12 exchange for professional services or in addition to fees --
13 penalty -- restitution. (1) A person licensed under Title
14 37, chapter 3, 4, 17, 22, 23, or 61, commits the offense of
15 sexual solicitation in exchange for or in addition to fees
16 if he purposely or knowingly requests or compels an
17 individual with whom he has or has had a professional
18 relationship to engage in sexual contact or sexual
19 intercourse with him or another person in exchange for or in
20 addition to fees charged for services rendered in the
21 practice of his profession.

22 (2) Except as provided in 46-18-222, a person
23 convicted of sexual solicitation in exchange for or in
24 addition to fees shall be imprisoned in the state prison for
25 a term of not less than 1 year or more than 20 years, fined

1 an amount not to exceed \$50,000, or both.

2 (3) In addition to any sentence imposed under
3 subsection (2), after determining the financial resources
4 and future ability of the offender to pay restitution, as
5 required by 46-18-242, the court shall require the offender,
6 if able, to pay the victim's reasonable psychological,
7 psychiatric, counseling, and medical costs that may result
8 from the offense. The amount, method, and time of payment
9 must be determined in the same manner as provided for in
10 46-18-244.

11 NEW SECTION. Section 2. Codification instruction.
12 [Section 1] is intended to be codified as an integral part
13 of Title 45, chapter 5, and the provisions of Title 45,
14 chapter 5, apply to [section 1].

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