

ORDINANCE NO. G-1130

AN ORDINANCE AMENDING TITLE II. PUBLIC HEALTH, SAFETY, AND WELFARE, OF THE MUNICIPAL CODE OF THE CITY OF JUNCTION CITY, KANSAS BY AMENDING CHAPTER 220 OFFENSES; ARTICLE IV: SEX OFFENSES.

WHEREAS, Junction City's current sex offense ordinances are not consistent with Kansas statutes.

WHEREAS, Junction City recognizes the importance in protecting the community's morals through the prohibition of all unlawful sex offenses.

WHEREAS, Junction City will be able to enforce and hold those persons accountable for violations of the updated ordinances.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS:

SECTION 220.240 is amended to read as follows:

SECTION 220.240: - LEWD AND LASCIVIOUS BEHAVIOR.

A. Lewd and lascivious behavior is:

(1) Publicly engaging in otherwise lawful sexual intercourse or sodomy with knowledge or reasonable anticipation that the participants are being viewed by others; or

(2) Publicly exposing a sex organ or exposing a sex organ in the presence of a person who is not the spouse of the offender or who has not consented thereto, with intent to arouse or gratify the sexual desires of the offender or another.

B. Lewd and lascivious behavior is a Class B misdemeanor.

SECTION 220.250 is amended to read as follows:

SECTION 220.250: - SALE OF SEXUAL RELATIONS.

A. Selling sexual relations is performing for hire, or offering or agreeing to perform for hire where there is an exchange of value, any of the following acts:

(1) Sexual intercourse;

(2) Sodomy; or

(3) Manual or other bodily contact stimulation of the genitals of any person with the intent to arouse or gratify the sexual desires of the offender or another.

B. Selling sexual relations is a Class B misdemeanor. A person convicted of selling sexual relations shall be sentenced as provided by ordinance for a Class B misdemeanor, and in addition, upon a conviction, the court shall impose a mandatory minimum jail sentence of not less than thirty (30) days.

SECTION 220.260 is amended to read as follows:

SECTION 220.260: - PROMOTING PROSTITUTION (repealed, section reserved).

SECTION 220.270 is amended to read as follows:

SECTION 220.270: - BUYING SEXUAL RELATIONS.

A. Buying sexual relations is knowingly:

(1) Entering or remaining in a place where sexual relations are being sold or offered for sale with intent to engage in manual or other bodily contact stimulation of the genitals of any person with the intent to arouse or gratify the sexual desires of the offender or another, sexual intercourse, sodomy or any unlawful sexual act with a person selling sexual relations who is 18 years of age or older; or

(2) Hiring a person selling sexual relations who is 18 years of age or older to engage in manual or other bodily contact stimulation of the genitals of any person with the intent to arouse or gratify the sexual desires of the offender or another, sexual intercourse, sodomy or any unlawful sexual act.

B. Buying sexual relations is a Class A misdemeanor. A person convicted of buying sexual relations shall be sentenced as provided by ordinance for a Class A misdemeanor, and in addition, upon a conviction, the court shall impose a mandatory minimum jail sentence of not less than thirty (30) days.

C. In addition to any other sentence imposed, a person convicted under this section shall be fined \$2,500. All fines collected pursuant to this section shall be remitted to the human trafficking victim assistance fund.

D. In addition to any other sentence imposed, for any conviction under this section, the court may order the person convicted to enter into and complete a suitable educational and treatment program regarding commercial sexual exploitation.

SECTION 220.280 is amended to read as follows:

SECTION 220.280: - INDECENT SOLICITATION OF A MINOR (repealed, section reserved).

SECTION 220.290 is amended to read as follows:

SECTION 220.290: - SODOMY (repealed, section reserved).

SECTION 220.300 is amended to read as follows:

SECTION 220.300: - ADULTERY.

A. Adultery is engaging in sexual intercourse or sodomy with a person who is not married to the offender if:

- (1) The offender is married; or
- (2) The offender is not married and knows that the other person involved in the act is married.

B. Adultery is a Class C misdemeanor.

SECTION 220.315 is amended to read as follows:

SECTION 220.315: - SOLICITATION ACTS OF THE SALE OF SEXUAL RELATIONS OR SODOMY.

A. *Prohibited.* It shall be unlawful upon the streets or in any other public places within the corporate limits of the City for any person to solicit or agree with any other person to participate in the sale of sexual relations or sodomy.

B. *Definitions.* For the purposes of this Section, the following terms shall have the meanings respectively ascribed to them:

PUBLIC PLACE: Any place to which the general public has access and a right to resort for business, entertainment or other lawful purpose.

SALE OF SEXUAL RELATIONS: The meaning ascribed to it in Section 220.250 of this Article.

SODOMY: The meaning ascribed to it in Section 220.230 of this Article.

SOLICIT: To approach another person with an offer of sexual services. No exchange of value is required to complete an act of solicitation.

C. Solicitation of sexual relations, sodomy, or any other unlawful sexual act is a Class B misdemeanor.

This ordinance shall become effective upon publication in the Junction City Daily Union as required by law.

PASSED AND ADOPTED THIS 16th DAY OF JULY, 2013.




Cecil Aska
Mayor


Tyler Ficken
City Clerk