

ORDINANCE G-1215

AN ORDINANCE AMENDING SECTION 220.270, ENTITLED "BUYING SEXUAL RELATIONS" OF ARTICLE IV, ENTITLED "SEX OFFENSES" OF CHAPTER 220, ENTITLED "OFFENSES," OF TITLE II, ENTITLED "PUBLIC HEALTH, SAFETY, AND WELFARE" OF THE CODE OF ORDINANCES OF THE CITY OF JUNCTION CITY, KANSAS, TO MODIFY THE FINES ASSESSED AND DIRECTION OF SAID FINES UPON COLLECTION

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

SECTION 1: Section 220.270 – "Buying Sexual Relations" of the Code of Ordinances of the City of Junction City, Kansas is hereby 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 eighteen (18) years of age or older; or
 - 2. Hiring a person selling sexual relations who is eighteen (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.
 - 1. 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 minimum jail sentence of not less thirty (30) days.
 - 2. The person convicted shall serve at least forty-eight (48) hours' imprisonment before the person is granted probation, suspension, or reduction of sentence or parole or is otherwise released.
 - 3. Any time the defendant is incarcerated prior to sentencing does not count towards the mandatory forty-eight hours' imprisonment.
- C. In addition to any other sentence imposed, a person convicted under this section shall be fined not less than one thousand two hundred dollars (\$1,200) nor more than five thousand dollars (\$5,000). Half of all fines

collected pursuant to this section shall be remitted to the human trafficking victim assistance fund created by K.S.A. 75-758, and amendments thereto, and the remainder shall be remitted as otherwise provided by law.

- 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.
- E. A person may enter into a diversion agreement in lieu of further criminal proceedings for a violation of this ordinance only once during the person's lifetime. A diversion under this ordinance, K.S.A. 21-6421, prior versions of that statute, another city's ordinance, a county resolution, or other similar prohibited acts by legislation counts as a prior diversion.

SECTION 2. All ordinances and parts thereof that are inconsistent with any provision of this Ordinance are hereby repealed.

SECTION 3. This Ordinance shall be effective upon publication as required by law.

Passed and adopted by the Governing Body of the City of Junction City, Kansas this 17th day of October, 2017.



CITY OF JUNCTION CITY, KANSAS



Phyllis Fitzgerald
Mayor

ATTEST:



Shawna Settles, City Clerk