

ORDINANCE No.

117074

NA

COUNCIL BILL No.

110070

The City of Seattle--Legislative Department

AN ORDINANCE creating a mandatory counseling program for persons convicted of prostitution and patronizing a prostitute so that these individuals may be informed as to the dangers of sexually transmitted diseases and HIV, as well as the manner in which HIV is transmitted and the manner in which the transmission may be prevented.

REPORT OF COMMITTEE

Honorable President:

Your Committee on _____

to which was referred the within Council Bill No. _____
report that we have considered the same and respectfully recommend that the same

Pass As Amended

Full Council Vote 9-0

COMPTROLLER FILE No.

| | |
|---|------------------------------------|
| Introduced: 2-28-94 | By: Pogeler |
| Referred: 2-28-94 | To: Public Safety 704 - General |
| Referred: | To: |
| Referred: | To: |
| Reported: MAR 2 1 1994 | Second Reading: MAR 2 1 1994 |
| Third Reading: MAR 2 1 1994 | Signed: MAR 2 1 1994 |
| Presented to Mayor: MAR 2 2 1994 | Approved: MAR 2 3 1994 |
| Returned to City Clerk: MAR 2 5 1994 | Published: |
| Voted on by Mayor: | Veto Published: |
| Passed over Veto: | Veto Sustained: |

Committee Chair

Ordinance 117074

AN ORDINANCE creating a mandatory counselling program for persons convicted of prostitution and patronizing a prostitute so that those individuals may be informed as to the dangers of sexually transmitted diseases and HIV, as well as the manner in which HIV is transmitted and the manner in which the transmission may be prevented.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Chapter 12A.10 of the Seattle Municipal Code is further amended by adding the following section:

12A.10.110 Convicted persons -- Mandatory counselling and costs for certain offenses.

(1) The local health department shall conduct or cause to be conducted, sexually transmitted disease (STD)/HIV counselling for all persons convicted of, or entering a diversion program for, a first offense of prostitution or patronizing a prostitute under this chapter. The term first offense shall include, for persons previously convicted of, or entering a diversion program for, an offense of prostitution or patronizing a prostitute, the first offense occurring after the effective date of this ordinance, and thereafter, the first offense occurring (in each calendar) one year from the date of last conviction or completion of diversion.

Inclusion of such persons as first offenders shall not negate his or her previous conviction(s) or diversion for other sentencing purposes.

(2) Such counselling shall be conducted and successfully completed as soon as possible after sentencing or entering of a diversion program, and shall be so ordered by the sentencing judge or diversion program.

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(3) (In addition to any fines, costs or other fees imposed as a result of sentencing or diversion, a) All persons ordered to complete STD/HIV counselling as a result of a conviction or diversion of a prostitution or a patronizing a prostitute charge shall also be ordered to pay costs in the amount of one-hundred dollars) responsible for the cost of the counselling. (These additional c) Costs collected pursuant to this subsection shall be (collected for, and) directed to(,) funding of the STD/HIV counselling program.

(4) In the event that the sentencing judge or other authorized individual determines that a person is unable to pay all, or any portion of, the additional costs, those costs, or any portion thereof, may be waived.

Section 2. Section 1. of 12A.10.110(1)-(4) of the Seattle Municipal Code as created by Ordinance 116991 is hereby repealed.

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Passed by the City Council the 21 day of March
1994 and signed by me in open session in authentication of its
passage this 21 day of March, 1994

[Signature]
President of the City Council

Approved by me this 23rd day of March, 1994.

[Signature]
Mayor

Filed by me this 25 day of March, 1994.

BY: [Signature]
Deputy Clerk

(SEAL)

Published _____

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Ordinance _____

AN ORDINANCE creating a mandatory counselling program for persons convicted of prostitution and patronizing a prostitute so that those individuals may be informed as to the dangers of sexually transmitted diseases and HIV, as well as the manner in which HIV is transmitted and the manner in which the transmission may be prevented.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Chapter 12A.10 of the Seattle Municipal Code is further amended by adding the following section:

12A.10.110 Convicted persons -- Mandatory counselling and costs for certain offenses.

(1) The local health department shall conduct or cause to be conducted, sexually transmitted disease (STD)/HIV counselling for all persons convicted of, or entering a diversion program for, a first offense of prostitution or patronizing a prostitute under this chapter. The term first offense shall include, for persons previously convicted of, or entering a diversion program for, an offense of prostitution or patronizing a prostitute, the first offense occurring after the effective date of this ordinance, and thereafter, the first offense occurring (in each calendar) one year from the date of last conviction or completion of diversion. Inclusion of such persons as first offenders shall not negate his or her previous conviction(s) or diversion for other sentencing purposes.

(2) Such counselling shall be conducted and successfully completed as soon as possible after sentencing or entering of a diversion program, and shall be so ordered by the sentencing judge or diversion program.

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(3) (In addition to any fines, costs or other fees imposed as a result of sentencing or diversion; a) All persons ordered to complete STD/HIV counselling as a result of a conviction or diversion of a prostitution or a patronizing a prostitute charge shall also be (ordered to pay costs in the amount of one-hundred dollars) responsible for the cost of the counselling. (These additional e) Costs collected pursuant to this subsection shall be (collected for, and) directed to (7) funding of the STD/HIV counselling program.

(4) In the event that the sentencing judge or other authorized individual determines that a person is unable to pay all, or any portion of, the additional costs, those costs, or any portion thereof, may be waived.

*Costs of
Counseling*

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STATE OF WASHINGTON - KING COUNTY

41461 City of Seattle, City Clerk

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No. ORDINANCE IN

CITY OF SEATTLE NOTICES City of Seattle

ORDINANCE 117074

AN ORDINANCE creating a mandatory counseling program for persons convicted of prostitution and harboring a prostitute so that those individuals may be informed as to the dangers of sexually transmitted diseases and HIV, as well as the manner in which HIV is transmitted and the manner in which the transmission may be prevented.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Chapter 12A.10 of the Seattle Municipal Code is further amended by adding the following sections:

12A.10.110 Convicted Persons - Mandatory Counseling and Costs for Certain Offenses.

(1) The local health department shall conduct or cause to be conducted, but only transmitted disease (STD/HIV) counseling for all persons convicted of, or ordered to complete, probation for a first offense of prostitution or harboring a prostitute under this chapter. This term first offense shall include persons previously convicted of, or ordered to complete, probation for an offense of prostitution or harboring a prostitute, the first offense occurring after the effective date of this ordinance, and thereafter for the first offense occurring in each calendar year FROM THE DATE OF LAST CONVICTION OR COMPLETION OF DIVERSION OR COMPLETION OF DIVERSION shall not include the first offense or the previous conviction(s) or diversion for other sentencing purposes.

(2) Such counseling shall be conducted and successfully completed as soon as possible after sentencing, or entering of a diversion program, and shall be so ordered by the sentencing judge or diversion program.

(3) In addition to any other costs or fines that may be assessed as a result of sentencing, the following shall apply: All persons ordered to complete STD/HIV counseling as a result of a conviction or diversion of a misdemeanor or a probation violation shall be charged with the amount of one hundred dollars (\$100) RESPONSIBLE FOR THE COST OF THE COUNSELING. These additional costs shall be collected for and directed to the funding of the STD/HIV counseling program.

(4) In the event that the sentencing judge or other authorized individual determines that a person is unable to pay all or any portion of the additional costs, those costs, or any portion thereof, may be waived.

Section 2. Section 1. of 12A.10.110(1)-(4) of the Seattle Municipal Code as created by Ordinance 116901 is hereby repealed.

Passed by the City Council the 21 day of March, 1994, and signed by me in open session in authentication of its passage this 21 day of March, 1994.

JIM STREET, President of the City Council. Approved by me this 23rd day of March, 1994.

NORMAN B. RICE, Mayor. Filed by me this 26 day of March, 1994.

(Seal) By MARGARET CARTER, Deputy Clerk. Publication ordered by JUDITH PIPPIN, City Clerk.

(Boldface denotes deletion) Date of official publication in Daily Journal of Commerce, Seattle, March 31, 1994. 9/31(41461)

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

ORD: 117074

was published on

03/31/94

The amount of the fee charged for the foregoing publication is the sum of \$100.00, which amount has been paid in full.

[Signature]

Subscribed and sworn to before me on

03/31/94

[Signature]

Notary Public for the State of Washington, residing in Seattle

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