

State Survey Law: Base Penalties for Buying Sex Acts With Minors

State	Relevant laws	Trafficking or CSEC law applies to buyers ¹	Base penalty under CSEC or trafficking law protects all minors under 18	Penalty is enhanced for younger minors	Base penalty is sufficient for all minor victims ²	Age of consent under statutory rape law ³
Alabama	Ala. Code § 13A-6-152(a)(2) (Human trafficking in the first degree)	Yes, trafficking**	n/a (age-neutral)	n/a (age-neutral)	n/a (age-neutral)	16
Alaska	Alaska Stat. § 11.66.100(c) (Prostitution)	Yes, CSEC	Yes	No	Yes: Class C felony (max. 5yrs, \$50k)	16
Arizona	Ariz. Rev. Stat. Ann. § 13-3212(B) (Child prostitution) Ariz. Rev. Stat. Ann. § 13-1307(B) (Sex trafficking)	Yes, both*	Yes	Yes	No: CSEC—Under 15 = Class 2 felony (13–27yrs, \$150k); Age 15–17 ⁴ = Class 6 felony (max. 2yrs, \$150k) Yes: Trafficking—Under 15 = Class 2 felony (13–27yrs, \$150k); Age 15–17 = felony (3–12.5yrs, \$150k)	18
Arkansas	Ark. Code Ann. § 5-18-103 (Trafficking of persons) Ark. Code Ann. § 5-27-305(a) (Transportation of minors for prohibited sexual conduct)	Yes, both	Yes	No	Yes: Trafficking = Class Y felony (10–40yrs or life) Yes: CSEC = Class A felony (max. 30 yrs, \$15k)	16

¹ Evaluations of state laws are based on legislation enacted as of June 24, 2013. Only trafficking laws that clearly apply to buyers have been included. Responses with an asterisk (*) indicate that the human trafficking law applies to buyers based on federal precedent, and responses with a double asterisk (**) indicate that the human trafficking law applies to buyers based on federal precedent but is limited in application because proof of force, fraud or coercion is required.

² A sufficient base penalty is a maximum sentence up to 10 or more years, aligning with the minimum sentences provided under the federal sex trafficking law, 18 U.S.C. § 1591.

³ See *Statutory Rape: A Guide to State Laws and Reporting Requirements*, U.S. Department of Health and Human Services, Summary of Current State Laws, Table 1 (2004), available at: <http://aspe.hhs.gov/hsp/08/sr/statelaws/summary.shtml>. The ages listed here do not account for marital exceptions or the age difference between the defendant and victim which may be necessary for prosecution under state statutory rape laws.

⁴ Unless the prosecution can prove the buyer knew the victim was under 18, buyers face a substantially lower penalty for engaging in prostitution with a minor aged 15–17. In cases where a buyer's knowledge of the victim's minority can be shown, the penalty for buying sex with a minor aged 15–17 increases to a Class 2 felony punishable by 7–21 years imprisonment. Ariz. Rev. Stat. Ann. § 13-3212(G).

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California	Cal. Penal Code § 266e (Acquiring prostitute)	No	n/a	n/a	n/a	18
Colorado	Colo. Rev. Stat. Ann. § 18-7-406(1) (Patronizing a prostituted child)	Yes, CSEC	Yes	No	Yes: Class 3 felony w/ mandatory enhancement (4yrs–life, \$3k–750k)	17
Connecticut	Conn. Gen. Stat § 53a-83(c) (Patronizing a prostitute)	Yes, CSEC	Yes	No	Yes: Class C felony (1–10yrs, max. \$10k)	16
Delaware	Del. Code Ann. tit. 11, § 787(b)(2)(b) (Trafficking of persons and involuntary servitude)	Yes, trafficking	Yes	No	Yes: Class C felony (max. 15yrs)	18
DC	D.C. Code § 22-1834 (Sex trafficking of children) D.C. Code § 22-2705 (Pandering; inducing or compelling an individual to engage in prostitution)	Yes, both*	Yes	No	Yes: Trafficking = Max. 20yrs, \$200k, Yes: CSEC = max. 20yrs, \$20k	16
Florida	Fla. Stat. Ann. § 787.06(3) (Human trafficking) Fla. Stat. Ann. § 800.04(4)(b) (Lewd or lascivious offenses committed upon or in the presence of persons less than 16 years of age)	Yes, both*	Trafficking: Yes CSEC: No (16)	Trafficking: Yes CSEC: n/a	Yes: Trafficking = Under 15 (1st degree felony, max. life, \$10k); Age 15–17 (life felony, max. life, \$15k) No: CSEC = Under 16 only (2nd degree felony, max. 15yrs, \$10K)	18
Georgia	Ga. Code Ann. § 16-5-46(c)	Yes, both*	Yes	Yes (CSEC)	Yes: Trafficking = Felony	16

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	(Trafficking of persons for labor or sexual servitude) Ga. Code Ann. § 16-6-12 (Pandering)				(10–20yrs, \$100k) Yes: CSEC = Under 16 (max. 30yrs, \$100k); Age 16–17 (max. 20yrs, \$10k)	
Hawaii	Senate Bill 192, Chapter 712 of Hawaii Revised Statutes (Solicitation of a minor for prostitution)	Yes, CSEC	Yes	No	No: Class C felony (max. 5yrs, \$2k–10k)	16
Idaho	Idaho Code Ann. § 18-8603 (Penalties) Idaho Code Ann. § 18-5610 (Utilizing a person under eighteen years of age for prostitution)	Yes, both	Yes	No	Yes: Trafficking = max. 25yrs, \$50k; Yes: CSEC = Felony (2 yrs-life, \$50k)	18
Illinois	720 Ill. Comp. Stat. Ann. 5/10-9 (Trafficking in persons, involuntary servitude, and related offenses) 720 Ill. Comp. Stat. Ann. 5/11-18.1(a), (a-5) (Patronizing a minor engaged in prostitution) ⁵	Yes, both*	Yes	Yes (trafficking)	Yes: Trafficking = Under 17 (Class X felony, 6–30yrs, \$25k), Age 17 (Class 1 felony, 4–15yrs, \$25k) No: CSEC = Class 3 felony (max. 5yrs, \$25k)	17

⁵ Buyers also face prosecution under 720 Ill. Comp. Stat. Ann. 5/11-26(a) (Traveling to meet a minor) which is punishable as a Class 3 felony by imprisonment for 2–5 years and a possible fine up to \$25,000, and 720 Ill. Comp. Stat. Ann. 5/11-14.1(a) (Solicitation of a sexual act) and 720 Ill. Comp. Stat. Ann. 5/11-25(a) (Grooming) which are punishable as Class 4 felonies by imprisonment for 1–3 years and a possible fine up to \$25,000.

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Indiana	Ind. Code Ann. § 35-42-3.5-1(d) (Promotion of human trafficking—Sexual trafficking of a minor—Human trafficking)	Yes, trafficking ⁶	n/a (age-neutral)	No	No: Class C felony (max. 8yrs, \$10k)	16
Iowa	Iowa Code § 710A.2(4) (Human trafficking) Iowa Code § 710A.2A24 (Solicitation of commercial sexual activity)	Yes, both	Yes	No	Yes: Trafficking = Class C felony (max. 10yrs, \$10k) No: CSEC = Class D felony (max. 5yrs, \$750-7,500)	16
Kansas	Kan. Stat. Ann. § 21-5426(b)(4) (Human trafficking) Enacted House Bill 2034 (Commercial sexual exploitation of a child)	Yes, both*	Yes	Yes	Yes: Trafficking = Under 14 (25yrs–life, \$500k), Age 14–17 (147–165 months, \$300k) No: CSEC = Under 14 (25yrs–life, \$500k), Age 14–17 (31–34 months)	16
Kentucky	Ky. Rev. Stat. Ann. § 529.100 (Human trafficking) Ky. Rev. Stat. Ann. § 530.070 (Unlawful transaction with a minor in the third degree)	Yes, both	Yes	No	Yes: Trafficking = Class B felony (10–20yrs, \$1k–\$10k); No: CSEC = Class A misdemeanor (max. 1yr, \$500)	16
Louisiana	La. Rev. Stat. Ann. §§ 14:46.3(A)(1) (Trafficking of children for sexual	Yes, both	Yes	Yes (both)	Yes: Trafficking & CSEC = Felony: under 14 (25–50yrs, \$75k0, aged 15–17 (15–50yrs, \$50k)	17

⁶ Subsection (d) of Ind. Code Ann. § 35-42-3.5-1 clearly applies to buyers but is age-neutral and requires knowledge that the victim was forced to engage in prostitution.

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	purposes), 14:82.1(A)(1) (Prostitution; persons under eighteen), 14:82(C)(4), (5) (Prostitution)					
Maine	Me. Rev. Stat. Ann. tit. 17-A, § 855(1)(A) (Patronizing prostitution of minor)	Yes, CSEC	Yes	No	No: Class D crime (max. 1yr, \$2k) ⁷	16
Maryland	Md. Code Ann., Crim. Law § 3-324(b) (Sexual solicitation of minor)	Yes, CSEC	Yes	No	Yes: Felony (max. 10yrs, \$25k)	16
Massachusetts	Mass. Gen. Laws ch. 265, § 50 (Human trafficking—Sexual servitude) Mass. Gen. Laws ch. 272, § 53A(c)34 (Engaging in sexual conduct for fee; payors and payees; penalties)	Yes, both	Yes	No	Yes: Trafficking = Felony (5–life, \$25k) Yes: CSEC = Felony (max 10yrs, \$3k–10k)	16
Michigan	Mich. Comp. Laws Ann. § 750.449a (Engaging services for purpose of prostitution, lewdness, or assignation, offer to engage; penalty)	No	n/a	n/a	n/a	16
Minnesota	Minn. Stat. Ann. § 609.324 (Patrons; prostitutes; housing individuals engaged in prostitution;	Yes, CSEC	Yes	Yes	No: Under 13 = Felony (max. 20yrs, \$40k); age 13–15 = Felony (max. 10yrs, \$20k); age 16–17 = Felony (max. 5yrs, \$10k)	16

⁷ If the buyer knew the victim was a minor, Me. Rev. Stat. Ann. tit. 17-A, § 855(1)(B) (Patronizing prostitution of minor) enhances the penalty to a Class C felony with a maximum sentence of 5 years and a fine of up to \$5,000.

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	penalties)					
Mississippi	Miss. Code Ann. § 97-3-54.1(1)(c) (Anti-Human Trafficking Act; prohibited conduct; penalty)	Yes, trafficking	Yes	No	Yes: Felony (max. 30yrs, \$10k)	16
Missouri	Mo. Rev. Stat. § 566.212(1)(2) (Sexual trafficking of a child) and § 566.213(1)(2) (Sexual trafficking of a child under age twelve) Mo. Rev. Stat. § 567.030 (Patronizing prostitution)	Yes, both	Yes	Yes (both)	Yes: Trafficking = Under 12 (Felony, max. life, \$250k); Age 13-17 (Felony, 10yrs–life, \$250k) No: CSEC = Under 15 (Class D felony, max. 4yrs); Age 15–17 (Class A misdemeanor, max. 1yr)	17
Montana	Mont. Code Ann. § 45-5-601(1) (Prostitution) and Patronizing a child under Enacted House Bill 478	Yes, both	Yes	No	Yes: Trafficking & CSEC = Felony (max. 100yrs, \$50k)	16
Nebraska	Neb. Rev. Stat. Ann. § 28-831(2) (Human trafficking; forced labor or services) Neb. Rev. Stat. Ann. § 28-802(1)(d)(Pandering)	Yes, both	Yes	Yes (trafficking)	Yes: Trafficking: Under 15 (Class II felony, 1–50yrs); Age 15–17 (Class III felony, max. 20yrs, \$25k) Yes: CSEC = Class III felony (max. 20yrs, \$25k)	16
Nevada	Nev. Rev. Stat. Ann. § 201.300(2)(a)(1) (Sex trafficking) Nev. Rev. Stat. Ann. § 201.354 (Engaging in prostitution or solicitation for prostitution)	Yes, both*	Yes	No	Yes: Trafficking = Category A felony (5yrs–life, \$10k) No: CSEC = Category E felony (1–4yrs or probation, \$5K)	16

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New Hampshire	N.H. Rev. Stat. Ann. § 633:7 (Trafficking in persons)	Yes, trafficking**	Yes	No	Yes: Class A felony (10–30yrs, \$4k)	16
New Jersey	N.J. Stat. Ann. § 2C:13-8 (Human trafficking) N.J. Stat. Ann. § 2C:34-1(b)(7) (Prostitution and related offenses)	Yes, both*	Yes	No	Yes: Trafficking = 1st degree crime (20yrs–life, \$25-200k) Yes: CSEC = 2nd degree crime (max. 10yrs, \$150k)	16
New Mexico	N.M. Stat. Ann. § 30-52-1(A)(2) (Human trafficking) N.M. Stat. Ann. § 30-6A-4(B) (Sexual exploitation of children by prostitution)	Yes, both*	Trafficking: Yes CSEC: No (13-16 only)	Yes (trafficking)	No: Trafficking = Under 13 (1st degree felony, max. 18yrs, \$15k), Age 13–15 (2 nd degree felony, 9yrs, \$10k), Age 16–17 (3 rd degree felony, 3yrs, \$5k) No: CSEC = Age 13–15 only (2 nd degree felony, max. 9yrs, \$10k)	16
New York	N.Y. Penal Law § 230.06 (Patronizing a prostitute in the first degree) N.Y. Penal Law § 230.05 (Patronizing a prostitute in the second degree) N.Y. Penal Law § 230.04 (Patronizing a prostitute in the third degree)	Yes, CSEC	Yes	Yes	No: Under 11 = Class D felony (max. 7yrs, \$5k); Under 14 = Class E felony, (max. 4yrs, \$5k)	17
North Carolina	N.C. Gen. Stat. § 14-43.13 (Sexual servitude) & N.C. Gen. Stat. § 14-43.11 (Human trafficking) N.C. Gen. Stat. § 14-205.1 (Solicitation of prostitution) N.C. Gen. Stat. § 14-205.2	Yes, both	Yes	No	No: Trafficking = Class C felony (max. 73 months) No: CSEC = Class G felony (max. 13 months) or Class F felony (max. 16 months)	16

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	(Patronizing a prostitute)					
North Dakota	North Dakota Century Code (N.D. Cent. Code) § 12.1-40-01(1) (Human trafficking—Penalty)	Yes, trafficking*	Yes	No	Yes: Class AA felony (max. life)	18
Ohio	Ohio Rev. Code Ann. § 2907.21(A)(3), (4) (Compelling prostitution)	Yes, CSEC	Yes	No	No: Felony of the 3 rd degree (max. 36mo, \$10k)	16
Oklahoma	Okla. Stat. Ann. tit. 21, § 748(B) (Human trafficking) Okla. Stat. Ann. tit. 21, § 1029(A)(2) (Engaging in prostitution, etc.)	Yes, both	Yes	Yes (CSEC)	Yes: Trafficking = Felony (min. 10yrs, max. \$20k) No: CSEC = Under 16 (Felony, max. 10yrs, \$5k); Age 16-17 = (Misdemeanor, 30 days–1yr, \$2.5k)	16
Oregon	Or. Rev. Stat. § 163.266 (Trafficking in persons) Enacted Senate Bill 673, Section 4 (Purchasing sex with a minor)	Yes, both**	Yes	No	Yes: Trafficking = Class A felony (max. 20yrs, \$375k); No: CSEC = Class C felony (max. 5yr, \$10k mandatory)	18
Pennsylvania	18 Pa. Cons. Stat. § 6318(a)(3) (Unlawful contact with minor)	Yes, CSEC	Yes	n/a (age-neutral)	No: CSEC = 3 rd degree felony (max. 7yrs, \$15k)	16
Rhode Island	R.I. Gen. Laws Ann. § 11-67-6(b) (Sex trafficking of a minor) R.I. Gen. Laws Ann. § 11-37-8.8(a) (Indecent solicitation of a child)	Yes, both	Yes	No	Yes: Trafficking = Felony (max. 40yrs, \$40k) No: CSEC = Felony (max. 5yrs)	16

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South Carolina	S.C. Code Ann. § 16-3-2020 (Trafficking in persons) S.C. Code Ann. § 16-15-425 (Participating in prostitution of a minor defined)	Yes, both*	Yes	No	Yes: Trafficking = Felony (max. 30yrs) No: CSEC = Class F felony (2–5yrs)	16
South Dakota	S.D. Codified Laws § 22-49-2 (First degree human trafficking) S.D. Codified Laws § 22-49-3, (Second degree human trafficking)	Yes, trafficking**	Yes	Yes	Yes: Under 16 (Class 2 felony, max. 25yrs, \$50k); Age 16-17 (Class 4 felony, max. 10yrs, \$20k)	16
Tennessee	Tenn. Code Ann. § 39-13-309 (Trafficking for commercial sex acts) Tenn. Code Ann. § 39-13-514(b) (Patronizing prostitution)	Yes, both	Yes	Yes	Yes: Trafficking = Under 15 (Class A felony, 15–60yrs, \$50k), Age 15–17 (Class B felony, 8–30, \$25k) No: CSEC = Class E felony (max. 6yrs, \$3k)	18
Texas	Tex. Penal Code Ann. § 20A.02(a)(8) (Trafficking of persons) Tex. Penal Code Ann. § 43.02(a) (Prostitution)	Yes, both	Yes	No	Yes: Trafficking = First degree felony (max. 99yrs, \$10k) Yes: CSEC = Second degree felony (2–20yrs, \$10k)	17
Utah	Utah Code Ann. § 76-5-310(2) (Aggravated human trafficking) Utah Code Ann. § 76-10-1303 (Patronizing a prostitute)	Yes, both**	Yes	No	Yes: Trafficking = 1st degree felony (5yrs–life, \$10k) No: CSEC = 3 rd degree felony (max. 5yrs, \$5k)	18

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Vermont	Vt. Stat. Ann. tit. 13, § 2655(a) (Solicitation), codified in the human trafficking chapter	Yes, trafficking	Yes	No	No: Felony (max. 5yrs, \$100k)	16
Virginia	Va. Code Ann. § 18.2-346(B) (Prostitution; commercial sexual conduct; commercial exploitation of a minor; penalties.)	Yes, CSEC	Yes	Yes	No: Under 16 = Class 5 felony (1–10yrs, \$2.5k); Age 16-17 = Class 6 felony (1–5yrs, \$2.5k)	18
Washington	Wash. Rev. Code Ann. § 9A.40.100(1)(a) (Trafficking) Wash. Rev. Code Ann. § 9.68A.100(1) (Commercial sexual abuse of a minor)	Yes, both	Yes	No	Yes: Trafficking = Class A felony, seriousness level XIV (max. 397 months, \$50k); Yes: CSEC = Class B felony, seriousness level VIII (max. 10 years, \$20k)	16
West Virginia	W. Va. Code Ann. § 61-2-17(a)(5) (Human trafficking; criminal penalties) W. Va. Code Ann. § 61-3C-14b (Soliciting, etc. a minor via computer; penalty)	Yes, both*	Yes	No	Yes: Trafficking = Felony (3–15yrs, \$200k) Yes: CSEC = Felony (max. 10yrs, \$5k)	16
Wisconsin	Wis. Stat. § 948.051 (Trafficking of a child) Wis. Stat. § 948.08 (Soliciting a child for prostitution)	Yes, both*	Yes	No	Yes: Trafficking = Class C felony (max. 40yrs, \$100k) Yes: CSEC = Class D felony (max. 25yrs, \$100k)	18
Wyoming	Wyo. Stat. Ann. § 6-2-707 (Patronizing a victim of sexual servitude)	Yes, trafficking	Yes	No	No: Felony (max. 3yrs, \$5k)	16

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Totals		49	47	15		Avg = 17
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