**South Carolina General Assembly**

126th Session, 2025-2026

**S. 235**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Kimbrell

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Introduced in the Senate on January 16, 2025

Currently residing in the Senate Committee on **Judiciary**

Summary: Prostitution

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/16/2025 Senate Introduced and read first time (Senate Journal‑page 6)

 1/16/2025 Senate Referred to Committee on **Judiciary** (Senate Journal‑page 6)

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**VERSIONS OF THIS BILL**

[01/16/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/235_20250116.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16‑15‑90, RELATING TO PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT PROSTITUTION BY A PROSTITUTED PERSON AND TO INCREASE THE PENALTY FOR VIOLATIONS; BY AMENDING SECTION 16‑15‑100, RELATING TO PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT CERTAIN ACTIONS RELATED TO A PERSON WHO SOLICITS CUSTOMERS FOR A PROSTITUTED PERSON AND TO INCREASE THE PENALTY FOR VIOLATIONS; BY AMENDING SECTION 16‑15‑110, RELATING TO VIOLATIONS FOR PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT A PERSON FROM SOLICITING A PROTITUTED PERSON.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Sections 16‑15‑90 through 16‑15‑110 of the S.C. Code are amended to read:

 Section 16‑15‑90. (A) For the purposes of this section “prostitution” means the practice or instance of engaging in sexual activity for money or any other thing of value.

 (B) It shall beis unlawful to:

 (1) Engage engage in prostitution;

 (2) Aid or abet prostitution knowingly;

 (3)(2) Procure procure or solicit for the purpose of prostitution;

 (4)(3) Expose expose indecently the private person for the purpose of prostitution or other indecency;

 (5)(4) Reside reside in, enter or remain in any place, structure, building, vehicle, trailer, or conveyance for the purpose of lewdness, assignation or prostitution; or

 (6) Keep or set up a house of ill fame, brothel or bawdyhouse;

 (7) Receive any person for purposes of lewdness, assignation or prostitution into any vehicle, conveyance, trailer, place, structure or building;

 (8) Permit any person to remain for the purpose of lewdness, assignation or prostitution in any vehicle, conveyance, trailer, place, structure or building;

 (9) Direct, take or transport, offer or agree to take or transport or aid or assist in transporting any person to any vehicle, conveyance, trailer, place, structure or building or to any other person with knowledge or having reasonable cause to believe that the purpose of such directing, taking or transporting is prostitution, lewdness or assignation;

 (10) Lease or rent or contract to lease or rent any vehicle, conveyance, trailer, place, structure or building or part thereof believing or having reasonable cause to believe that it is intended to be used for any of the purposes herein prohibited; or

 (11)(5) Aidaid, abet, or participate knowingly in the doing of any of the acts herein prohibited by this section.

 (C) In the prosecution or adjudication of a person who is charged with a violation of this section, it is an affirmative defense to those charges that the person charged committed the violation under duress or was coerced into committing the violation as a result of being the victim of trafficking in persons.

 (D) A person who at the time that the person violated this section was a minor may not be prosecuted pursuant to this section.

 (E) A person who violates this section is guilty of a felony and must be imprisoned for not more than five years.

 Section 16‑15‑100. (A) For the purposes of this section:

 (1) “Prostitution” means the practice or instance of engaging in sexual activity for money or any other thing of value.

 (2) “Sexual grooming” means a person’s attempt to gradually establish an emotional connection with a minor or members of a minor’s family to lessen the minor’s inhibitions to engaging in sexual activities with or at the direction of the person.

 (B) It shall further be unlawful to:

 (1) Procure procure a female person inmate for a place, structure, building, vehicle, trailer, or conveyance for the purpose of prostitution;

 (2) recruit, sexually groom, cause, Cause, induce, persuade or encourage by promise, threat, violence, or by any scheme or device a female person to become a prostitute or to remain an inmate ofin a house ofplace, structure, building, vehicle, trailer, or conveyance for the purpose of prostitution;

 (3) recruit, sexually groom, cause, Induce,induce, persuade or encourage a female person to come into or leave this State for the purpose of prostitution or to reside in, enter, or remain in any place, structure, building, vehicle, trailer, or conveyance for the purpose ofbecome an inmate in a house of prostitution;

 (4) Receive recieve or give, or agree to receive or give, any money or thing of value for procuring or attempting to procure any female to become a prostitute or an inmate in a house of prostitution;

 (5) Accept or receive knowingly any money or other thing of value without consideration from a prostitute; or

 (6) keep or set up a trailer, place, structure, or building to facilitate prostitution;

 (7) receive any person for purposes of prostitution into any vehicle, conveyance, trailer, place, structure, or building;

 (8) permit any person to remain for the purpose of prostitution in any vehicle, conveyance, trailer, place, structure, or building;

 (9) direct, take, or transport, offer or agree to take or transport, or aid or assist in transporting any person to any vehicle, conveyance, trailer, place, structure, or building or to any other person with knowledge of or having reasonable cause to believe that the purpose of such directing, taking, or transporting is prostitution;

 (10) lease or rent, or contract to lease or rent, any vehicle, conveyance, trailer, place, structure, or building or part thereof believing or having reasonable cause to believe that it is intended to be used for prostitution;

 (11) promote, market, or advertise prostitution on a media platform accessible to the public, including, but not limited to, social media platforms; or

 (6)(12) Aid,aid, abet or participate knowingly in the doing of any of the acts herein prohibited.

 (C) A person who violates this section is guilty of a felony and must be imprisoned for not more than five years.

 Section 16‑15‑110. (A) Any person violating any provision of Sections 16‑15‑90 and 16‑15‑100 must, upon conviction, be punished as follows:For the purposes of this section “prostitution” means the practice or instance of engaging in sexual activity for money or any other thing of value.

 (1) for the first offense, a fine not exceeding two hundred dollars or confinement in prison for a period of not more than thirty days;

 (2) for the second offense, a fine not exceeding one thousand dollars or imprisonment for not exceeding six months, or both;

 (3) for the third or any subsequent offense, a fine not exceeding three thousand dollars or imprisonment for not less than one year, or both.

 (B) It is unlawful for a person to solicit, induce, entice, or offer money or anything of value to a prostituted person for the purpose of engaging in prostitution.

 (C) A person who violates this section is guilty of a felony and must be imprisoned for not more than five years.

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide.  After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect upon approval by the Governor.

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