

Honolulu, Hawaii

APR 03 2008

RE: H.B. No. 3002
H.D. 1
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 3002, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PROSTITUTION,"

begs leave to report as follows:

The purpose of this measure is to clarify as a class C felony, a third and any subsequent offense of prostitution by a person who pays, or offers or agrees to pay, a fee for sex with another person. Under this measure the class C felony sentence is without possibility of deferral of further proceedings and without possibility of suspension of sentence.

Your Committee received testimony in support of this measure from the Kukui Plaza Association of Owners, Downtown Neighborhood Board No. 13, EAH Housing, Honolulu Tower AOA, and thirty-two individuals. Testimony in opposition was received from the State Public Defender.

This measure, for lack of better terminology, is commonly referred to as a "john law." Your Committee finds that this measure adds another means of deterring prostitution, by increasing the criminal penalties for johns who habitually solicit prostitutes.

Your Committee has amended this measure on the recommendation of the State Attorney General by enacting a new separate offense of habitual solicitation of prostitution, a class C felony, for



the third and subsequent offense after two or more prior convictions for specified prostitution offenses within a ten year period of the instant offense. The measure sunsets on June 30, 2010, in order for this measure to be evaluated to determine its effectiveness.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3002, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 3002, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,


BRIAN T. TANIGUCHI, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* HB 3002 HD1	Committee Referral: JDL	Date: 3-17-08
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The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, BRIAN T. (C)	✓			✓
HEE, Clayton (VC)				✓
GABBARD, Mike	✓			
KOKUBUN, Russell S.	✓			✓
NISHIHARA, Clarence K.	✓			
SLOM, Sam		✓		
TOTAL	3	1	—	2

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


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*Only one measure per Record of Votes