
A BILL FOR AN ACT

RELATING TO PROSTITUTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 712, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:

4 "§712-A Solicitation of prostitution near schools or
5 public parks. (1) A person commits the offense of solicitation
6 of prostitution near schools or public parks if, within seven
7 hundred fifty feet of the real property comprising a school or a
8 public park, the person offers or agrees to pay a fee to another
9 person to engage in sexual conduct.

10 (2) A person who violates this section shall be guilty of
11 a misdemeanor.

12 (3) For purposes of this section:

13 (a) "School" has the same meaning as in section
14 712-1249.6(6); and

15 (b) "Sexual conduct" has the same meaning as in section
16 712-1200(2)."

17 SECTION 2. Act 192, Session Laws of Hawaii 2008, is
18 amended by amending section 1 to read as follows:



1 "SECTION 1. Chapter 712, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:

4 "**§712- Habitual solicitation of prostitution.** (1) A
5 person commits the offense of habitual solicitation of
6 prostitution if the person is a habitual prostitution offender
7 and pays, agrees to pay, or offers to pay a fee to another
8 person to engage in sexual conduct.

9 (2) For the purposes of this section, a person has the
10 status of a "habitual prostitution offender" if the person, at
11 the time of the conduct for which the person is charged, had two
12 or more convictions within ten years of the instant offense for:

- 13 (a) Prostitution, in violation of section 712-1200;
- 14 (b) Street solicitation of prostitution, in violation of
15 section 712-1207;
- 16 (c) Habitual solicitation of prostitution, in violation of
17 this section;
- 18 (d) Solicitation of prostitution near schools or public
19 parks, in violation of section 712-A;

20 ~~(d)~~ (e) An offense of any other jurisdiction that is
21 comparable to one of the offenses in paragraphs (a),
22 (b), ~~(c)~~ (c) ~~(d)~~, or (d); or

1 ~~(e)~~ (f) Any combination of the offenses in paragraphs
2 (a), (b), (c), ~~(d)~~ ~~(-)~~, or (e).

3 A conviction for purposes of this section is a judgment on the
4 verdict or a finding of guilt, or a plea of guilty or nolo
5 contendere. The convictions must have occurred on separate
6 dates and be for separate incidents on separate dates. At the
7 time of the instant offense, the conviction must not have been
8 expunged by pardon, reversed, or set aside.

9 (3) Habitual solicitation of prostitution is a
10 misdemeanor."

11 SECTION 3. Act 192, Session Laws of Hawaii 2008, is
12 amended by amending section 3 to read as follows:

13 "SECTION 3. This Act shall take effect upon its approval,
14 and shall be repealed on June 30, ~~[2010-]~~ 2012."

15 SECTION 4. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 5. This Act shall take effect on September 14,
18 2047.

19



Report Title:

Prostitution

Description:

Establishes the offense of solicitation of prostitution near schools or public parks, which makes it a misdemeanor to offer or agree to pay a fee to engage in sexual conduct within 750 feet of a school or public park, and adds this offense to those solicitation offenses for which a person may attain the status of "habitual prostitution offender" if the person has two or more convictions within a ten-year period. Extends the "sunset" date of Act 192, Session Laws of Hawaii 2008, which makes habitual solicitation of prostitution a criminal offense, to June 30, 2012. Effective September 14, 2012. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent

