

JAN 20 2010

A BILL FOR AN ACT

RELATING TO CRIME.

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

1 SECTION 1. Section 28-101, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
3 "(a) The attorney general shall establish a statewide
4 witness program through which the attorney general may fund or
5 provide for the security and protection of a government witness
6 or a potential government witness in an official proceeding or
7 investigation where the attorney general determines that an
8 offense such as those described in sections 710-1071
9 (intimidating a witness), 710-1072 (tampering with a witness),
10 or 710-1072.2 (retaliating against a witness) is likely to be
11 committed or which involves great public interest. The attorney
12 general may also fund or provide for the security and protection
13 of the immediate family of, or a person otherwise closely
14 associated with, such witness or potential witness if the family
15 or person may also be endangered. In determining whether such
16 security and protection or funds are to be provided, the
17 attorney general shall give greatest priority to official
18 proceedings or investigations involving pending or potential



1 organized crime, racketeering activity, promoting prostitution,
2 or career criminal prosecutions."

3 SECTION 2. Section 707-720, Hawaii Revised Statutes, is
4 amended by amending subsection (3) to read as follows:

5 "(3) In a prosecution for kidnapping, it is a defense
6 which reduces the offense to a class B felony that the defendant
7 voluntarily released the victim, alive and not suffering from
8 serious or substantial bodily injury, in a safe place prior to
9 trial. This defense shall not apply to offenses charged under
10 paragraph (1)(g)."

11 SECTION 3. Section 712-1202, Hawaii Revised Statutes, is
12 amended by amending subsection (2) to read as follows:

13 "(2) Promoting prostitution in the first degree is a class
14 [B] A felony."

15 SECTION 4. Section 712-1203, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "**§712-1203 Promoting prostitution in the second degree.**

18 (1) A person commits the offense of promoting prostitution in
19 the second degree if the person knowingly advances or profits
20 from [~~prostitution by managing, supervising, controlling, or~~
21 ~~owning, either alone or in association with others, a house of~~
22 ~~prostitution or a prostitution business or enterprise involving]~~



1 the prostitution activity [~~by~~] of two or more prostituted
2 persons.

3 (2) Promoting prostitution in the second degree is a class
4 [~~C~~] B felony."

5 SECTION 5. Section 712-1204, Hawaii Revised Statutes, is
6 amended by amending subsection (2) to read as follows:

7 "(2) Promoting prostitution in the third degree is a
8 [~~misdemeanor~~] class C felony."

9 SECTION 6. This Act does not affect rights and duties that
10 matured, penalties that were incurred, and proceedings that were
11 begun before its effective date.

12 SECTION 7. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 8. This Act shall take effect upon its approval.

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Report Title:

Promoting Prostitution

Description:

Gives priority, regarding witness security and protection, to proceedings and investigations involving the prosecution of promoting prostitution. Provides that kidnapping offenses shall not be reduced to class B felonies if the offense involves unlawfully obtaining the labor or services of the kidnapped person. Increases the felony classifications for promoting prostitution in the first, second, and third degree.

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

