

Honolulu, Hawaii

April 28 , 2011

RE: H.B. No. 240
S.D. 1
C.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 240, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PROMOTING PROSTITUTION,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill, among other things is to:

- (1) Provide witnesses to cases involving promoting prostitution the highest priority to government security and protection;
- (2) Include the use of fraud to compel a person to engage in prostitution as an element of promoting prostitution in the first degree;
- (3) Increase the penalties for promoting prostitution in the first and second degrees to a class A and B felony respectively;



- (4) Amend promoting prostitution in the second degree to reflect the elements of promoting prostitution in the third degree;
- (5) Repeal the crime of promoting prostitution in the third degree;
- (6) Extend the offenses of prostitution and solicitation of prostitution to reach those who pay, agree to pay, or offer to pay a fee to another person to engage in sexual conduct;
- (7) Amend habitual solicitation of prostitution to apply to those who habitually pay, agree to pay, or offer to pay a fee to another person to engage in sexual conduct;
- (8) Raise habitual solicitation of prostitution to a class C felony; and
- (9) Make the provisions for the crime of habitual solicitation of prostitution permanent.

Your Committee on Conference has amended this measure by:

- (1) Clarifying the elements of promoting prostitution in the first degree by adding inducing a person to act by specified means;
- (2) Broadening the definition of "fraud" as it relates to promoting prostitution in the first degree to mean simply making material false statements, misstatements, or omissions;
- (3) Changing its effective date to July 1, 2011; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

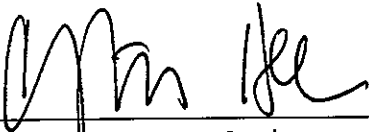


As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 240, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 240, S.D. 1, C.D. 1.

Respectfully submitted on behalf of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE



CLAYTON HEE, Chair



GILBERT KEITH-AGARAN, Chair



MAILE SHIMABUKURO, Co-Chair



