
A BILL FOR AN ACT

RELATING TO PROMOTING PROSTITUTION.

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

1 SECTION 1. Section 712-1200, Hawaii Revised Statutes, is
2 amended by amending subsection (1) to read as follows:

3 "(1) A person commits the offense of prostitution if the
4 person [engages]:

5 (a) Engages in, or agrees or offers to engage in, sexual
6 conduct with another person for a fee[~~-~~]; or

7 (b) Pays, agrees to pay, or offers to pay a fee to another
8 to engage in sexual conduct."

9 SECTION 2. Section 712-1207, Hawaii Revised Statutes, is
10 amended by amending subsections (1) and (2) to read as follows:

11 "(1) It shall be unlawful for any person within the
12 boundaries of Waikiki and while on any public property[~~, to~~
13 ~~offer~~] to:

14 (a) Offer or agree to engage in sexual conduct with
15 another person in return for a fee[~~-~~]; or

16 (b) Pay, agree to pay, or offer to pay a fee to another
17 person to engage in sexual conduct.



1 (2) It shall be unlawful for any person within the
2 boundaries of other areas in this State designated by county
3 ordinance pursuant to subsection (3), and while on any public
4 property[~~, to offer~~] to:

5 (a) Offer or agree to engage in sexual conduct with
6 another person in return for a fee[~~-~~]; or

7 (b) Pay, agree to pay, or offer to pay a fee to another
8 person to engage in sexual conduct."

9 SECTION 3. Act 192, Session Laws of Hawaii 2008, is
10 amended by amending section 1 to read as follows:

11 "SECTION 1. Chapter 712, Hawaii Revised Statutes, is
12 amended by adding a new section to be appropriately designated
13 and to read as follows:

14 "**§712- Habitual solicitation of prostitution.** (1) A
15 person commits the offense of habitual solicitation of
16 prostitution if the person is a habitual prostitution offender
17 and pays, agrees to pay, or offers to pay a fee to another
18 person to engage in sexual conduct.

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



- 1 (a) Prostitution, in violation of section [~~712-1200~~] 712-
2 1200(1)(b);
- 3 (b) Street solicitation of prostitution, in violation of
4 section [~~712-1207~~] 712-1207(1)(b);
- 5 (c) Habitual solicitation of prostitution, in violation of
6 this section;
- 7 (d) An offense of any other jurisdiction that is
8 comparable to one of the offenses in paragraphs (a),
9 (b), or (c); or
- 10 (e) Any combination of the offenses in paragraphs (a),
11 (b), (c), or (d).

12 A conviction for purposes of this section is a judgment on the
13 verdict or a finding of guilt, or a plea of guilty or nolo
14 contendere. The convictions must have occurred on separate
15 dates and be for separate incidents on separate dates. At the
16 time of the instant offense, the conviction must not have been
17 expunged by pardon, reversed, or set aside.

18 (3) Habitual solicitation of prostitution is a
19 [~~misdemeanor~~] class C felony."

20 SECTION 4. Act 192, Session Laws of Hawaii 2008, as
21 amended by Act 95, Session Laws of Hawaii 2010, is amended by
22 amending section 3 to read as follows:



1 "SECTION 3. This Act shall take effect upon its approval[
2 ~~and shall be repealed on June 30, 2012~~]."

3 This Act does not affect rights and duties that matured,
4 penalties that were incurred, and proceedings that were begun
5 before its effective date.

6 SECTION 5. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 6. This Act shall take effect on January 7, 2059.



Report Title:

Promoting Prostitution

Description:

Expands the offenses of prostitution and solicitation of prostitution to cover patrons of prostitutes. Makes the offense of habitual solicitation of prostitution a class C felony, and applies the law to those who habitually patronize prostitutes. Removes the sunset date of Act 192, Session Laws of Hawaii 2008. Effective January 7, 2059. (HB242 HD1)

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

