

STAND. COM. REP. NO.

630

Honolulu, Hawaii

March 3, 2011

RE: H.B. No. 1007
H.D. 1

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1007 entitled:

"A BILL FOR AN ACT RELATING TO PORNOGRAPHY OFFENSES AGAINST CHILDREN,"

begs leave to report as follows:

The purpose of this bill is to better protect children from the dangers created by the Internet and modern technology by expanding promoting pornography for minors to include disseminating materials to a person known to be under the age of 18 or representing themselves to be under the age of 18. In addition, this measure adds promoting child abuse in the third degree to those offenses for which criminal charges may be instituted by written information.

The Department of the Attorney General, the Sex Abuse Treatment Center, and several concerned individuals testified in support of this measure. The American Civil Liberties Union of Hawaii and Media Coalition opposed this bill.

Your Committee has amended this measure by:

- (1) Changing the age protected by this bill to be under the age of 16 in conformity with the Hawaii Penal Code offenses relating to obscenity;

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- (2) Changing the effective date to January 7, 2059, to promote further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1007, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1007, H.D. 1, and be placed on the calendar for Third Reading.

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



GILBERT KEITH-AGARAN, Chair



