

STAND. COM. REP. NO. 628

Honolulu, Hawaii
March 3, 2011

RE: H.B. No. 242
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. 242 entitled:

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

begs leave to report as follows:

The purpose of this bill is to discourage individuals from engaging in illicit sexual activity by increasing the degree of the offense of habitual solicitation of prostitution to a class C felony.

The City and County of Honolulu Department of the Prosecuting Attorney, the Pacific Alliance to Stop Slavery, the Downtown Neighborhood Board No. 13, EAH Housing, Carmel Partners, and Kukui Kauhale, Inc. testified in support of this measure. The Office of the Public Defender, the American Civil Liberties Union of Hawaii, the Libertarian Party of Hawaii, and the National Association of Reformed Criminals and a concerned individual opposed this bill.

Your Committee has amended this bill by:

- (1) Including those persons who pay, agree to pay, or offer to pay a fee to another person in the offense of prostitution and street solicitation of prostitution in designated areas;



- (2) Amending the offense of habitual solicitation to penalize those who pay, agree to pay, or offer to pay a fee;
- (3) Changing the effective date to January 7, 2059, to promote further discussion; and
- (4) 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. 242, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 242, 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



