

Honolulu, Hawaii

March 23, 2012

RE: S.B. No. 2576
S.D. 1
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2576, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PROSTITUTION,"

begs leave to report as follows:

The purpose of this measure is to authorize a person convicted of committing the offense of prostitution to file a motion to discharge the conviction under certain circumstances, and to establish procedures for the motion to discharge.

The Pacific Alliance to Stop Slavery, Polaris Project, and many individuals testified in support of this measure. The Office of the Public Defender, IMUAlliance, and Harm Reduction Hawaii testified in support of the intent of this measure. The Department of the Attorney General and the Department of the Prosecuting Attorney of the City and County of Honolulu testified in opposition to this measure. An individual commented on the measure.

Your Committee has amended this measure by:

- (1) Making it a motion to vacate, rather than a motion to discharge, with respect to a judgment or motion filed under this measure;



- (2) Increasing the mandatory fine from \$500 to \$1,000 for the offense of prostitution committed;
- (3) Changing the time in which a motion must be filed with respect to the offense of prostitution; 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 S.B. No. 2576, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 2576, S.D. 1, H.D. 2.

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


GILBERT KEITH-AGARAN, Chair



