

STAND. COM. REP. NO. 1233

Honolulu, Hawaii
March 28, 2013

RE: S.B. No. 192
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 192 entitled:

"A BILL FOR AN ACT RELATING TO PROSTITUTION,"

begs leave to report as follows:

The purpose of this measure is to discourage prostitution by:

- (1) Establishing the offense of solicitation of a minor for prostitution as a class C felony;
- (2) Increasing the statute of limitation to bring a cause of action for coercion into prostitution from two to six years;
- (3) Clarifying the minimum and maximum fines for a person convicted of prostitution;
- (4) Adding the offenses of solicitation of a minor for prostitution, habitual solicitation of prostitution, and solicitation of prostitution near schools or public parks to the covered offenses for which property may be seized under the State's forfeiture laws; and
- (5) Amending the definition of "sexual offense" under the sexual offender registry laws to include acts that consist of the solicitation of a minor for prostitution.



The Department of the Prosecuting Attorney of the City and County of Honolulu; Honolulu Police Department; Pacific Alliance to Stop Slavery; Sex Abuse Treatment Center; Downtown Neighborhood Board No. 13; Hawaii Catholic Conference; Hawaii Family Forum, Courage House Hawaii; Tahirih Association; and numerous individuals testified in support of this measure. The Office of the Public Defender testified in opposition to this bill. IMUAlliance and several concerned citizens submitted comments.

Your Committee has amended this measure by:

- (1) Specifying that the offense of solicitation of a minor for prostitution is applicable to adult perpetrators only;
- (2) Deleting language establishing mandatory fines for those convicted of the offense of solicitation of a minor for prostitution;
- (3) Deleting language that would have extended the statute of limitation for claims brought for coercion into prostitution from two years to six years;
- (4) Removing language specifying minimum or maximum fines for persons convicted of prostitution;
- (5) Clarifying that the offense of solicitation of a minor for prostitution is a tier one offense under the sex offender registry laws which allows a person subject to the registration requirements for this offense to petition to be removed from the registry after ten years; and
- (6) 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. 192, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 192, H.D. 1, and be placed on the calendar for Third Reading.



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



KARL RHOADS, Chair



