

730

Honolulu, Hawaii
February 28, 2013

RE: H.B. No. 1066
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 H.B. No. 1066 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, Equality Now, Hawaii Family Forum, Pacific Alliance to Stop Slavery, Hawaii Catholic Conference, Downtown Neighborhood Board #13, and numerous concerned citizens testified in support of this measure. The Office of the Public Defender and one concerned individual testified in opposition to this measure. The Honolulu Police Department and IMUAlliance provided 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 H.B. No. 1066, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1066, 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

KARL RHOADS, Chair



