

Honolulu, Hawaii  
March 4, 2016

RE: H.B. No. 1902  
H.D. 2

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2016  
State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 1902, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SEX TRAFFICKING,"

begs leave to report as follows:

The purpose of this measure is to establish a victim and survivor-centered approach to comprehensive anti-sex trafficking laws by:

- (1) Replacing the offense of Promoting Prostitution in the First Degree with Sex Trafficking, a class A felony and violent crime;
- (2) Establishing a class C felony for the act of paying for sex in reckless disregard of the fact that the other person is a victim of sex trafficking;
- (3) Specifying that Sex Trafficking is a strict liability offense with respect to the victim's age when the victim of sex trafficking is under 18 years of age;
- (4) Providing that when a minor under the age of eighteen commits the act of engaging in or offering to engage in sexual conduct with another person for a fee, it is not a criminal offense, but rather a violation that subjects the minor to the jurisdiction of the family court;



- (5) Making amendments to strengthen the enforcement of laws and increase penalties against the sex trafficker;
- (6) Expanding the Department of the Attorney General's Statewide Witness Program to include sex trafficking;
- (7) Providing victims with access to criminal injury compensation; and
- (8) Amending laws relating to civil liability for cases of coercion into prostitution.

The Hawaii State Commission on the Status of Women, LGBT Caucus of the Democratic Party of Hawaii, Hawaii Women's Coalition, Planned Parenthood Votes Northwest and Hawaii, IMUAlliance, Zonta Club of Hilo, Family Programs Hawaii, Hawaii State Coalition Against Domestic Violence, Shared Hope International, Pacific Alliance to Stop Slavery, and several individuals provided testimony in support of the measure. The City and County of Honolulu Department of the Prosecuting Attorney, Honolulu Police Department, and The Libertarian Party of Hawaii provided testimony in opposition. The Department of the Attorney General provided comments.

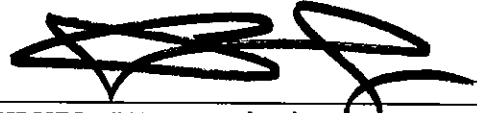
Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1902, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1902, H.D. 2.



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



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SYLVIA LUKE, Chair



