

STAND. COM. REP. NO. 88

Honolulu, Hawaii

FEB 10 2021

RE: S.B. No. 48  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred S.B. No. 48 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to provide further protection to vulnerable minors and children by identifying solicitation of a minor for prostitution as a form of sex trafficking.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney, City and County of Honolulu; Maui Police Department; IMUAlliance; The Sex Abuse Treatment Center; and five individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender and Harm Reduction Hawaii. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that incidents of sex trafficking throughout the State are increasing and that coercion as a means of committing the offense of sex trafficking is common. To provide additional protection for victims, Hawaii must strengthen its sex trafficking statutes by providing clarification to several provisions. Your Committee further finds that clarifying these



provisions will assist law enforcement in its efforts to protect minors from sexual predators.

Your Committee has amended this measure by:

- (1) Removing language that would have repealed the statute of limitations for sex trafficking and promoting prostitution;
- (2) Changing the definition of "minor" in the sex trafficking statute to be consistent with other sections of the Hawaii Revised Statutes;
- (3) Changing the effective date to May 1, 2024; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee believes that the Committee on Judiciary is the more appropriate body to address whether to amend the statute of limitations for sex trafficking and promoting prostitution and requests that the Committee on Judiciary consider that issue as this measure moves forward.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 48, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 48, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Human Services,



JOY A. SAN BUENAVENTURA, Chair



The Senate  
 Thirty-First Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Human Services**  
**HMS**

|                         |                     |                   |
|-------------------------|---------------------|-------------------|
| Bill / Resolution No.:* | Committee Referral: | Date:             |
| <b>SB 48</b>            | <b>HMS, JDC</b>     | <b>02/02/2021</b> |

The Committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312    
  Pass, with amendments 2311    
 Hold 2310    
 Recommit 2313

| Members                      | Aye      | Aye (WR) | Nay | Excused |
|------------------------------|----------|----------|-----|---------|
| SAN BUENAVENTURA, Joy A. (C) | /        |          |     |         |
| IHARA, Jr., Les (VC)         |          |          |     | /       |
| ACASIO, Laura                | /        |          |     |         |
| MISALUCHA, Bennette E.       | /        |          |     |         |
| FEVELLA, Kurt                | /        |          |     |         |
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| <b>TOTAL</b>                 | <b>4</b> |          |     | /       |

Recommendation:    
 Adopted    
 Not Adopted

Chair's or Designee's Signature: \_\_\_\_\_

Distribution:    
 Original    
 Yellow    
 Pink    
 Goldenrod  
File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy

**\*Only one measure per Record of Votes**