STAND. COM. REP. NO. 2867

Honolulu, Hawaii

MAR 2 9 2010

RE: H.B. No. 1863
        H.D. 1
        S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred H.B. No. 1863, 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 extend the sunset date for Act 192, Session Laws of Hawaii 2008, which establishes the criminal offense of habitual solicitation of prostitution.

Testimony in support of the measure was submitted by one private organization and eighty-seven individuals. Testimony in opposition was submitted by one private organization. Comments regarding the measure were submitted by the Downtown Neighborhood Board No. 13. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that prostitution continues to be a pervasive problem in downtown Honolulu. Prostitutes are encountered by area residents and their children on a daily basis. Your Committee received testimony that many residents are afraid to walk outside of their homes in the evening for fear of harassment and sexual solicitations from prostitutes working in the area. Your Committee notes that the offense of habitual solicitation of prostitution targets those who repeatedly solicit prostitutes. Your Committee is hopeful that retaining this offense will reduce the demand for prostitution by repeat

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offenders, thereby reducing the frequency of these transactions in the downtown Honolulu area.

Moreover, many testifiers expressed support of the provisions in a related measure, H.B. No. 1867, which establishes a misdemeanor offense for the solicitation of prostitution near schools or public parks. These testifiers expressed alarm that area children routinely witness solicitations by and from prostitutes, including occasions where prostitutes proposition fathers while they are walking their children to school. Your Committee believes that children should be protected from these types of activities and that creating a buffer zone around parks and schools where solicitation is prohibited will help to keep prostitution out of these areas.

Your Committee has amended this measure by:

(1)   Inserting language from H.B. No. 1867, which establishes a misdemeanor offense for the solicitation of prostitution near schools or public parks; and

(2)   Inserting an effective date of September 14, 2047, in order to encourage further discussion regarding these issues.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1863, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1863, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Government Operations,

BRIAN T. TANIGUCHI, Chair

The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:*	Committee Referral:	Date:
HB 1863, HD 1	JGO	3/16/10

☐ 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
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			✓
BUNDA, Robert				✓
GABBARD, Mike	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam		✓		
TOTAL	4	1	0	1

Recommendation: ☑ Adopted   ☐ Not Adopted

Chair's or Designee's Signature:

*Only <u>one</u> measure per Record of Votes

Revised: 12/18/08