STAND. COM. REP. NO. 630

Honolulu, Hawaii

March 3, 2011

RE: H.B. No. 1007 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1007 entitled:

"A BILL FOR AN ACT RELATING TO PORNOGRAPHY OFFENSES AGAINST CHILDREN,"

begs leave to report as follows:

The purpose of this bill is to better protect children from the dangers created by the Internet and modern technology by expanding promoting pornography for minors to include disseminating materials to a person known to be under the age of 18 or representing themselves to be under the age of 18. In addition, this measure adds promoting child abuse in the third degree to those offenses for which criminal charges may be instituted by written information.

The Department of the Attorney General, the Sex Abuse Treatment Center, and several concerned individuals testified in support of this measure. The American Civil Liberties Union of Hawaii and Media Coalition opposed this bill.

Your Committee has amended this measure by:

(1) Changing the age protected by this bill to be under the age of 16 in conformity with the Hawaii Penal Code offenses relating to obscenity;

- (2) Changing the effective date to January 7, 2059, to promote further discussion; and
- (3) 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. 1007, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1007, H.D. 1, and be placed on the calendar for Third Reading.

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

GILBERT KEITH-ACARAN Chair

HSCR 630

## State of Hawaii House of Representatives The Twenty-sixth Legislature

## Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 1007	Committee Referral	. JAD	Date: 3/1/11	
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Aye	es Ayes (W	/R) Nays	Excused
1. KEITH-AGARAN, Gilbert S.C. (	c) 🗸			
2. RHOADS, Karl (VC)				/
3. BROWER, Tom				<b>/</b>
4. CABANILLA, Rida T.R.				\ \ \
5. CARROLL, Mele				<b>/</b>
6. HERKES, Robert N.				
7. ITO, Ken				
8. LUKE, Sylvia				
9. McKELVEY, Angus L.K.				
10. MORITA, Hermina M.				
11. OSHIRO, Blake K.				
12. SOUKI, Joseph M.				
13. TSUJI, Clift	<b>✓</b>			
14. FONTAINE, George R.				
15. MARUMOTO, Barbara C.				
16. THIELEN, Cynthia				
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TOTAL (16)	9			_ 7
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) Committee Duplicate (Yellow) Chief Clerk's Office Duplicate (Pink) HMSO				