STAND. COM. REP. NO.

628

Honolulu, Hawaii

March 3, 2011

RE: H.B. No. 242 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. 242 entitled:

"A BILL FOR AN ACT RELATING TO PROMOTING PROSTITUTION,"

begs leave to report as follows:

The purpose of this bill is to discourage individuals from engaging in illicit sexual activity by increasing the degree of the offense of habitual solicitation of prostitution to a class C felony.

The City and County of Honolulu Department of the Prosecuting Attorney, the Pacific Alliance to Stop Slavery, the Downtown Neighborhood Board No. 13, EAH Housing, Carmel Partners, and Kukui Kauhale, Inc. testified in support of this measure. The Office of the Public Defender, the American Civil Liberties Union of Hawaii, the Libertarian Party of Hawaii, and the National Association of Reformed Criminals and a concerned individual opposed this bill.

Your Committee has amended this bill by:

(1) Including those persons who pay, agree to pay, or offer to pay a fee to another person in the offense of prostitution and street solicitation of prostitution in designated areas;

- (2) Amending the offense of habitual solicitation to penalize those who pay, agree to pay, or offer to pay a fee;
- (3) Changing the effective date to January 7, 2059, to promote further discussion; and
- (4) 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. 242, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 242, 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-AGARAN) Chair

State of Hawaii House of Representatives The Twenty-sixth Legislature

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB242 Co	ommittee Referral:) Date:	3/2/27	
☐ 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	Ayes	Ayes (WR)	Nays	Excused
1. KEITH-AGARAN, Gilbert S.C. (C)				
2. RHOADS, Karl (VC)				
3. BROWER, Tom				
4. CABANILLA, Rida T.R.				~
5. CARROLL, Mele				1
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				
14. FONTAINE, George R.				
15. MARUMOTO, Barbara C.				
16. THIELEN, Cynthia				
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TOTAL (16)	9		:	7
The recommendation is: Adopted Not 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				