STAND. COM. REP. NO. 1309 -12

Honolulu, Hawaii

Marh 23, 2012

RE: S.B. No. 2576

S.D. 1

H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2576, S.D. 1, 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 authorize a person convicted of committing the offense of prostitution to file a motion to discharge the conviction under certain circumstances, and to establish procedures for the motion to discharge.

The Pacific Alliance to Stop Slavery, Polaris Project, and many individuals testified in support of this measure. The Office of the Public Defender, IMUAlliance, and Harm Reduction Hawaii testified in support of the intent of this measure. The Department of the Attorney General and the Department of the Prosecuting Attorney of the City and County of Honolulu testified in opposition to this measure. An individual commented on the measure.

Your Committee has amended this measure by:

(1) Making it a motion to vacate, rather than a motion to discharge, with respect to a judgment or motion filed under this measure;

SB2576 HD2 HSCR JUD HMS 2012-3149

- (2) Increasing the mandatory fine from \$500 to \$1,000 for the offense of prostitution committed;
- (3) Changing the time in which a motion must be filed with respect to the offense of prostitution; 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 S.B. No. 2576, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 2576, S.D. 1, H.D. 2.

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

GILBERT KEITH-ACARAN Chair

HECR 1709-12

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

## Record of Votes of the Committee on Judiciary

Bill/Resolution No.:  SB 2576 SD1 HD1	Committee Referral: HUS, JUD, Fl	Date:	3/22	112
☐ 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	<u> </u>		-	
4. CABANILLA, Rida T.R.	✓ ✓			
5. CARROLL, Mele				
6. COFFMAN, Denny				
7. HERKES, Robert N.				
8. ITO, Ken				
9. LUKE, Sylvia	V			
10. McKELVEY, Angus L.K.				
11. SOUKI, Joseph M.	\( \sum_{\sum_{\subset}} \)			
12. TSUJI, Clift	V			
13. FONTAINE, George R.	<b>✓</b>			
14. MARUMOTO, Barbara C.	~			
15. THIELEN, Cynthia	V		· · · · · ·	
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TOTAL (15)	14	0	0	-
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				