

JAN 22 2021

A BILL FOR AN ACT

RELATING TO SEX TRAFFICKING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 712-1202, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§712-1202 Sex trafficking. (1) A person commits the
4 offense of sex trafficking if the person knowingly:

5 (a) Advances prostitution by compelling or inducing a
6 person by force, threat, fraud, coercion, or
7 intimidation to engage in prostitution, or profits
8 from such conduct by another; or

9 (b) Advances or profits from prostitution of a minor;
10 provided that with respect to the victim's age, the
11 prosecution shall be required to prove only that the
12 person committing the offense acted negligently.

13 (2) Sex trafficking is a class A felony.

14 (3) As used in this section:

15 "Coercion" means:

16 (1) Threats of serious harm to or physical restraint
17 against any person;



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1 (2) Any scheme, plan, or pattern intended to cause a
 2 person to believe that failure to perform an act would
 3 result in serious harm to or physical restraint
 4 against any person; or

5 (3) The abuse or threatened abuse of the legal process.

6 "Fraud" means making material false statements,
 7 misstatements, or omissions.

8 "Minor" means a person who is less than eighteen years of
 9 age.

10 "Threat" means any of the actions listed in section
 11 707-764(1)."

12 SECTION 2. This Act does not affect rights and duties that
 13 matured, penalties that were incurred, and proceedings that were
 14 begun before its effective date.

15 SECTION 3. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.

17

INTRODUCED BY: *Wm. A. C. A.*
 By Request



S.B. NO. 409

Report Title:

Honolulu Prosecuting Attorney Package; Sex Trafficking

Description:

Amends section 712-1202, Hawaii Revised Statutes, to include coercion as a means of committing the offense of sex trafficking.

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