

JAN 21 2022

A BILL FOR AN ACT

RELATING TO PROSTITUTION.

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

1 SECTION 1. The legislature finds that language used to
2 describe advancing prostitution that was written in a context
3 aimed at protecting prostitutes from abuse is overly broad.
4 Clarifying the language will ensure laws aimed at ending abuse
5 and harms are not applied to persons offering help or assistance
6 in reducing the harms and dangers that may occur relating to
7 prostitution.

8 The purpose of this Act is to exclude persons reducing the
9 harms and dangers of prostitution from the definition of
10 "advancing prostitution".

11 SECTION 2. Section 712-1201, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "**§712-1201 Advancing prostitution; profiting from**
14 **prostitution; definition of terms.** In sections 712-1202 and
15 712-1203:

16 (1) A person "advances prostitution" if the person
17 knowingly causes or aids a person to commit or engage



1 in prostitution, procures or solicits patrons for
2 prostitution, provides persons for prostitution
3 purposes, permits premises to be regularly used for
4 prostitution purposes, operates or assists in the
5 operation of a house of prostitution or a prostitution
6 enterprise, or engages in any other conduct designed
7 to institute, aid, or facilitate an act or enterprise
8 of prostitution; provided that a person does not
9 "advance prostitution" if the conduct is designed to
10 help or assist in reducing the harms and dangers of
11 prostitution;

12 (2) A person "profits from prostitution" if the person
13 accepts or receives money, anything of value, or other
14 property pursuant to an agreement or understanding
15 with any person whereby the person participates or is
16 to participate in the proceeds of prostitution
17 activity; and

18 (3) The definitions in subsections (1) and (2) shall not
19 include those engaged in conduct outlined in section
20 712-1200 as the prostituted person or section



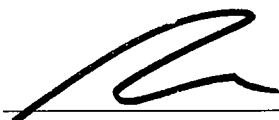
1 712-1200.5 as the person engaged in commercial sexual
2 exploitation."

3 SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY:


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S.B. NO. 2868

Report Title:

Advancing Prostitution; Definition; Abuse; Harm

Description:

Excludes persons who help to mitigate the harm and dangers of prostitution from the definition of "advancing prostitution".

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