

JAN 26 2022

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## A BILL FOR AN ACT

RELATING TO THE RIGHT TO EXIT THE SEX TRADE.

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

1           SECTION 1. The legislature finds that mainstream American  
2 feminism has focused on the right to engage in prostitution,  
3 thus overshadowing the indigenous and transnational feminists'  
4 call for women and the lesbian, gay, bisexual, transgender, and  
5 queer ohana to have the right to refuse to engage in  
6 prostitution or endure recurring sexual assault to survive.  
7 Native Hawaiian women, women of color, and sexual and gender  
8 identity minorities deserve the same right as affluent,  
9 college-educated, or white women to exit the sex trade. The  
10 right to exit prostitution does not meaningfully exist for most  
11 people in the sex trade.

12           The legislature also finds that generally, the right to  
13 leave patriarchal institutions is one of the rights that is most  
14 denied to women. The legislature further finds that an  
15 appropriate alternative would be to establish a pilot program to  
16 support the economic survival of those wanting to exit this  
17 patriarchal system. This course of action would address the



1 tendency of our social institutions to criminalize those who are  
2 forced to engage in prostitution and instead encourage  
3 compassion for people ensnared in the sex trade.

4 The purpose of this Act is to establish a pilot program to  
5 provide up to one year of guaranteed income to people who are  
6 economically coerced or trapped into the sex trade, including  
7 sex trafficking victims, and who are seeking to exit the sex  
8 trade.

9 SECTION 2. (a) There is established within the department  
10 of human services a one-year pilot program to provide a basic  
11 income to qualified adults who are verified victims of sex  
12 trafficking, or who are female or sexual and gender minority  
13 individuals seeking to exit the sex trade.

14 (b) The department shall administer the pilot program in  
15 the following manner:

16 (1) The target number of program applicants shall be two  
17 hundred fifty;

18 (2) An applicant shall:

19 (A) Be a Hawaii resident who is eighteen years of age  
20 or older;



- 1 (B) Demonstrate the applicant's status as a victim of
- 2 sex trafficking or as a female or sexual and
- 3 gender minority individual seeking to exit the
- 4 sex trade; and
- 5 (C) Provide documentation, from a nonprofit
- 6 organization, community-based program, or other
- 7 organization that provides housing, shelter,
- 8 education, substance abuse counseling, or
- 9 gender-based violence support for victims of sex
- 10 trafficking or prostitution, that attests to the
- 11 applicant's status in subparagraph (B); and
- 12 (3) The personal information of applicants and program
- 13 participants, including name, age, date of birth, and
- 14 contact information, shall be kept confidential within
- 15 the department and shall not be disclosed to any
- 16 member of the public.
- 17 (c) Applicants shall not be required to seek employment or
- 18 further education to be eligible to participate in the pilot
- 19 program.
- 20 (d) The department shall provide to each qualified
- 21 applicant a basic monthly income of \$2,000 for a period of up to



1 one year; provided that the basic monthly income provided by the  
2 pilot program shall be exempt from state income taxes and, to  
3 the extent permissible under federal law, shall be exempt from  
4 being considered income for the purposes of determining  
5 eligibility and benefit amounts under relevant public  
6 assistance, social services, and financial aid programs.

7 (e) The pilot program shall terminate after one year of  
8 operation.

9 (f) The department shall submit a report of its findings  
10 and recommendations, including any proposed legislation, to the  
11 legislature no later than twenty days prior to the convening of  
12 the regular session of 2023.

13 SECTION 3. There is appropriated out of the general  
14 revenues of the State of Hawaii the sum of \$6,000,000 or so much  
15 thereof as may be necessary for fiscal year 2022-2023 to  
16 administer and fund the pilot program established by section 2  
17 of this Act.

18 The sum appropriated shall be expended by the department of  
19 human services for the purposes of this Act.



1 SECTION 4. This Act shall take effect on July 1, 2022.

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INTRODUCED BY:



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# S.B. NO. 3347

**Report Title:**

Prostitution; Sex Trafficking; Victims; Basic Income; Pilot Program; DHS; Report; Appropriation

**Description:**

Establishes a 1-year pilot program within the Department of Human Services to provide a basic monthly income of \$2,000 for up to 1 year, to qualified persons who are verified victims of sex trafficking, or who are female or sexual and gender minority individuals seeking to exit the sex trade. Requires the Department to keep confidential the personal information of applicants and program participants. Appropriates moneys. Requires report to the Legislature.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

