

STAND. COM. REP. NO. **2765**

Honolulu, Hawaii

FEB 29 2024

RE: S.B. No. 3036
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 3036 entitled:

"A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC HEALTH AND MORALS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Clarify the definition of "profits from prostitution" to include money or property received regardless of expenditures or if it was a reimbursement or repayment of a debt; and
- (2) Amend the sex trafficking and promoting prostitution criminal offense statutes by inserting relevant definitions in those statutes and repealing a statute that is no longer needed.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Honolulu Police Department, one member of the Hawai'i County Council, and Imua Alliance.

Your Committee finds that the Supreme Court of Hawaii's decision in *State v. Ibarra*, 526 P.3d 575 (Haw. 2023), indicated a need for the sex trafficking and promoting prostitution criminal



offense statutes to be further clarified. While the State has made concerted efforts since the 2010s to reduce and combat sex trafficking in the State, not enough has been done to define criminal offense statutes. By resolving the ambiguity of these critical statutes, this measure will assist prosecutions of sex traffickers and those who promote prostitution.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 3036, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3036, S.D. 1, and be placed on the calendar for Third Reading.

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



KARL RHOADS, Chair



