STAND. COM. REP. NO. 2814

Honolulu, Hawaii

MAR 0 5 2026

RE: S.B. No. 3071
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 3071 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 clarify and update the sex trafficking and promoting prostitution criminal offense statutes by refining the definition of "profits from prostitution", establishing an affirmative defense to these offenses for certain lawful transactions.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Hawaii State Commission on the Status of Women, Department of the Prosecuting Attorney of the County of Maui, Department of the Prosecuting Attorney of the City and County of Honolulu, and four individuals.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that in *State v. Ibarra,* 153 Hawaii 50, 526 P.3d 575 (2023), the Hawaii Supreme Court held that "profits from prostitution" did not include repayment of a loan. This interpretation by the Hawaii Supreme Court created ambiguity, allowing traffickers to evade prosecution by distinguishing

proceeds from a victim's prostitution as repayment for loans or services. One of the most common recruitment and control methods used by human traffickers is to extend a loan to victims that forces them into prostitution and that can never be fully repaid. Therefore, this measure will combat sex trafficking and the promotion of prostitution by broadening what is characterized as profits from 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. 3071, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3071, S.D. 1, and be placed on the calendar for Third Reading.

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

Committee on Judiciary,

KARL RHOADS, Chair

The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:
SB 3071	JDC	2/24/26

☐ The Committee is reconsidering its previous decision on this measure.

If so, then the previous decision was to: _____

The Recommendation is:

☐ Pass, unamended 2312 ☑ Pass, with amendments 2311 ☐ Hold 2310 ☐ Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)				✓
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.	✓	✓		
AWA, Brenton	✓			
TOTAL	3	1	—	1

Recommendation: ☑ Adopted ☐ Not Adopted

Chair's or Designee's Signature:

Distribution: Original — File with Committee Report; Yellow — Committee; Pink — Drafting Agency

*Only one measure per Record of Votes

Revised: 01/02/26