

STAND. COM. REP. NO. 2814

Honolulu, Hawaii

MAR 05 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,



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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	2/29/26		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)				✓
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.	<del>✓</del>	✓		
AWA, Brenton	✓			
<b>TOTAL</b>	<b>3</b>	<b>1</b>	<b>-</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink File with Committee Report     Committee     Drafting Agency				

\*Only one measure per Record of Votes