

ACT 110

H.B. NO. 567

A Bill for an Act Relating to Prostitution.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 712-1200, Hawaii Revised Statutes, is amended as follows:

“§712-1200 Prostitution. (1) A person commits the offense of prostitution if the person engages in, or agrees or offers to engage in, sexual conduct with another person in return for a fee.

(2) As used in subsection (1), “sexual conduct” means “sexual intercourse,” “deviate sexual intercourse,” or “sexual contact,” as those terms are defined in section 707-700.

(3) Prostitution is a petty misdemeanor.

(4) Notwithstanding any other law to the contrary, a person convicted of committing the offense of prostitution shall be sentenced as follows:

(a) For the first offense, a fine of \$500 and the person may be sentenced to a term of imprisonment of not more than thirty days; provided, in the event the convicted person defaults in payment of the \$500 fine, and the default was not contumacious, the court may sentence the person to perform services for the community as authorized by section 706-605(1)(f), Hawaii Revised Statutes.

(b) For any subsequent offense, a fine of \$500 and a term of imprisonment of thirty days, without possibility of suspension of sentence or probation.”

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored.*

SECTION 3. This Act shall take effect upon its approval.

(Approved June 8, 1981.)

*The text has been edited pursuant to HRS §23G-16.5, authorizing omission of the brackets, bracketed material, and underscoring.