

ACT 192

H.B. NO. 3002

A Bill for an Act Relating to Prostitution.

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

SECTION 1. Chapter 712, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§712- Habitual solicitation of prostitution. (1) A person commits the offense of habitual solicitation of prostitution if the person is a habitual prostitution

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offender and pays, agrees to pay, or offers to pay a fee to another person to engage in sexual conduct.

(2) For the purposes of this section, a person has the status of a “habitual prostitution offender” if the person, at the time of the conduct for which the person is charged, had two or more convictions within ten years of the instant offense for:

- (a) Prostitution, in violation of section 712-1200;
- (b) Street solicitation of prostitution, in violation of section 712-1207;
- (c) Habitual solicitation of prostitution, in violation of this section;
- (d) An offense of any other jurisdiction that is comparable to one of the offenses in paragraphs (a), (b), or (c); or
- (e) Any combination of the offenses in paragraphs (a), (b), (c), or (d).

A conviction for purposes of this section is a judgment on the verdict or a finding of guilt, or a plea of guilty or nolo contendere. The convictions must have occurred on separate dates and be for separate incidents on separate dates. At the time of the instant offense, the conviction must not have been expunged by pardon, reversed, or set aside.

(3) Habitual solicitation of prostitution is a misdemeanor.”

SECTION 2. New statutory material is underscored.¹

SECTION 3. This Act shall take effect upon its approval, and shall be repealed on June 30, 2010.

(Approved June 18, 2008.)

Note

1. Edited pursuant to HRS §23G-16.5.