WHEREAS, there have been laws against prostitution as long
or longer than prostitution has been the "world's oldest
profession"; and

WHEREAS, prostitution here and elsewhere has long been
perceived as conduct that amounts to an affront against
community morals by individuals acting for personal profit; and

WHEREAS, prostitution is increasingly understood to be the
organized criminal sexual exploitation of its victims, typically
women and children; and

WHEREAS, other jurisdictions are moving toward aligning
their statutory language with the evolving understanding of
prostitution as commercial sexual exploitation; and

WHEREAS, replacing references to prostitution in the Hawaii
Revised Statutes, with references to commercial sexual
exploitation may have unintended consequences involving
inconsistent cross-references or conflicts with existing case
law; now, therefore,

BE IT RESOLVED by the House of Representatives of the
Twenty-fifth Legislature of the State of Hawaii, Regular Session
of 2010, that the Legislative Reference Bureau is requested to
conduct a study of the technical feasibility of replacing
references in the Hawaii Revised Statutes with the term
commercial sexual exploitation; and

BE IT FURTHER RESOLVED that the Legislative Reference
Bureau is requested to:
(1) Conduct research to determine what other jurisdictions have changed references to prostitution to commercial sexual exploitation or similar language;

(2) Examine whether, if the Legislature determines as a matter of policy that the Hawaii Revised Statutes should refer to commercial sexual exploitation instead of prostitution, that goal can be achieved with a global replacement of terms or would require, because of inconsistent cross-references, improper sentence syntax, or other reasons, a section by section amendment of the Hawaii Revised Statutes; and

(3) Examine what effect, if any, a change in terminology would have on the continued viability of case law construing prior versions of the Hawaii Revised Statutes would have; and

BE IT FURTHER RESOLVED that the Legislative Reference Bureau is requested to submit its findings and recommendations, including any proposed legislation, to the Legislature not later than twenty days prior to the convening of the Regular Session of 2011; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be transmitted to the Director of the Legislative Reference Bureau.

OFFERED BY: __________________________

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