

Honolulu, Hawaii

FEB 29 2020

RE: S.B. No. 2643  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2643 entitled:

"A BILL FOR AN ACT RELATING TO SEX TRAFFICKING,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Remove the criminal statute of limitations for sex trafficking and promoting prostitution;
- (2) Specify that sex trafficking of a minor is a strict liability offense; and
- (3) Designate the offense of solicitation of a minor for prostitution as sex trafficking.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, Honolulu Police Department, IMUAlliance, UNITE, and one individual. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that existing state law does not identify solicitation of a minor for prostitution as a form of sex trafficking, but under title 18 United States Code section 1591, federal law recognizes offering to engage in sexual activity with



a minor for anything of value as a form of sex trafficking. Your Committee finds that it is necessary to protect Hawaii's children from sexual exploitation by designating the solicitation of a minor for prostitution as a form of sex trafficking under state law.

Your Committee has amended this measure by:

- (1) Including coercion to engage in prostitution as a means by which to commit the offense of sex trafficking;
- (2) Clarifying that sex trafficking includes offering or agreeing to pay anything of value to engage in sexual activity with a minor; and
- (3) 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. 2643, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2643, S.D. 1, and be placed on the calendar for Third Reading.

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



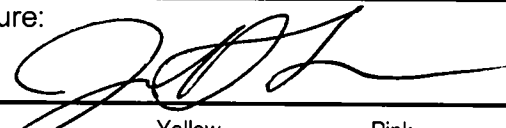
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KARL RHOADS, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes  
Committee on Judiciary  
JDC**

Bill / Resolution No.:* <b>SB 2643</b>	Committee Referral: <b>JDC</b>	Date: <b>2/20/2020</b>		
<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)	/			
KEOHOKALOLE, Jarrett (VC)	/			
GABBARD, Mike				/
KIM, Donna Mercado	/			
FEVELLA, Kurt				/
<b>TOTAL</b>	<b>3</b>			<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:            Original                      Yellow                      Pink                      Goldenrod File with Committee Report    Clerk's Office            Drafting Agency       Committee File Copy				

\*Only one measure per Record of Votes