
A BILL FOR AN ACT

RELATING TO PROMOTING PORNOGRAPHY FOR MINORS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that there is a need for
2 increased ability to investigate and prosecute those who promote
3 pornography for minors. The legislature further finds that the
4 current offense of promoting pornography for minors does not
5 provide for undercover operations, and undercover operations
6 have proven to be an effective tool in reducing and combating
7 the offense and related sex trafficking offenses.

8 Accordingly, the purpose of this Act is to allow the
9 prosecution of a person who disseminates pornographic material
10 to undercover law enforcement officers who represent themselves
11 as minors under the offense of promoting pornography for minors.

12 SECTION 2. Section 712-1215, Hawaii Revised Statutes, is
13 amended by amending subsection (1) to read as follows:

14 "(1) A person commits the offense of promoting pornography
15 for minors if:

16 (a) Knowing its character and content, the person
17 disseminates to a minor material [~~which~~] that is
18 pornographic for minors; [~~or~~]



1 (b) Knowing its character and content, the person
2 disseminates material that is pornographic for minors
3 to a law enforcement officer who represents that
4 officer's self as a minor; or

5 [~~(b)~~] (c) Knowing the character and content of a motion
6 picture film or other performance [~~which,~~] that, in
7 whole or in part, is pornographic for minors, the
8 person:

9 (i) Exhibits [~~such~~] the motion picture film or
10 other performance to a minor;

11 (ii) Sells to a minor an admission ticket or pass to
12 premises where there is exhibited or to be
13 exhibited [~~such~~] the motion picture film or
14 other performance; or

15 (iii) Admits a minor to premises where there is
16 exhibited or to be exhibited [~~such~~] the motion
17 picture film or other performance."

18 SECTION 3. This Act does not affect rights and duties that
19 matured, penalties that were incurred, and proceedings that were
20 begun before its effective date.



1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect upon its approval.



Report Title:

Penal Code; Promoting Pornography for Minors; Offenses Against Public Health and Morals

Description:

Amends the offense of promoting pornography for minors by allowing the prosecution of persons who provide pornographic materials to undercover law enforcement officers who represent themselves as minors for purposes of undercover operations.
(CD1)

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