

---

---

## A BILL FOR AN ACT

RELATING TO ENDANGERING THE WELFARE OF A MINOR.

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

1           SECTION 1. Section 709-903.5, Hawaii Revised Statutes, is  
2 amended by amending subsection (1) to read as follows:

3           "(1) Except as provided in subsection (2), a person  
4 commits the offense of endangering the welfare of a minor in the  
5 first degree if [~~-, having~~]:

6           (a) Having the care or custody of a minor, the person  
7           intentionally or knowingly allows another person to  
8           inflict serious or substantial bodily injury on the  
9           minor [~~-~~];

10          (b) Under circumstances or conditions likely to produce  
11          great bodily harm or death, the person intentionally  
12          or knowingly causes or permits the minor to endure, or  
13          inflicts thereon unjustifiable physical pain or mental  
14          suffering; or

15          (c) Having the care or custody of a minor, the person  
16          intentionally or knowingly causes or permits:

17          (i) The person or health of the minor to be injured;  
18          or



1           (ii) The minor to be placed in a situation where the  
2           minor's person or health is endangered."

3           SECTION 2. Section 709-904, Hawaii Revised Statutes, is  
4 amended by amending subsection (1) to read as follows:

5           "(1) Except as provided in section 709-903.5(2), a person  
6 commits the offense of endangering the welfare of a minor in the  
7 second degree if [~~having~~]:

8           (a) Having the care or custody of a minor, the person  
9           recklessly allows another person to inflict serious or  
10           substantial bodily injury on the minor~~[-]~~;

11           (b) Under circumstances or conditions other than those  
12           likely to produce great bodily harm or death, the  
13           person intentionally or knowingly causes or permits  
14           the minor to endure, or inflicts thereon unjustifiable  
15           physical pain or mental suffering; or

16           (c) Having the care or custody of a minor, the person  
17           recklessly causes or permits:

18           (i) The person or health of the minor to be injured;  
19           or

20           (ii) The minor to be placed in a situation where the  
21           minor's person or health is endangered."

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

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

6 SECTION 5. This Act shall take effect upon its approval.  
7

INTRODUCED BY:

[Signature]

Mr. A. Cuckak

[Signature]

[Signature]

[Signature]

[Signature]

Maury B. Lee

[Signature]

[Signature]

[Signature]

Michael P. Kalukua

Kiric Caldwell

Calvin H. Day

[Signature]

JAN 20 2006



HB 1995

**Report Title:**  
Endangering Minors

**Description:**  
Expands the crimes of endangering the welfare of a minor in the first and second degree to include a person who in the context of an illegal methamphetamine lab, causes unjustifiable pain or suffering to a minor, or injures or endangers the minor's health or person.