
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 care or custody of a minor, the person
6 [intentionally]:

7 (a) Intentionally or knowingly allows another person to
8 inflict serious or substantial bodily injury on the
9 minor~~[-]~~; or

10 (b) Knowingly and unlawfully consumes, smokes, inhales,
11 injects, ingests, or otherwise uses a controlled
12 substance in the presence of, or as witnessed by, the
13 minor."

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

16 "(1) Except as provided in section 709-903.5(2), a person
17 commits the offense of endangering the welfare of a minor in the

1 second degree if, having care or custody of a minor, the person
2 [~~recklessly~~]:

3 (a) Recklessly allows another person to inflict serious or
4 substantial bodily injury on the minor[-]; or

5 (b) Knowingly exposes the minor to an individual who
6 unlawfully consumes, smokes, inhales, injects,
7 ingests, or otherwise uses a controlled substance in
8 the presence of, or as witnessed by, the minor."

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

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 Statutory material to be repealed is bracketed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

14 SECTION 5. This Act shall take effect on July 1, 2006.

PROPOSED

Report Title:

Endangering Minors

Description:

Expands the crimes of endangering the welfare of a minor in the first degree and second degree to include the illegal use of a controlled substance in the presence of, or as witnessed by, a minor. (SD2)

