
A BILL FOR AN ACT

RELATING TO CHILD ABANDONMENT.

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

1 SECTION 1. Chapter 709, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§709- Abandonment of a child in the second degree. (1)

5 A person commits the offense of abandonment of a child in the
6 second degree if, being a parent, guardian, or other person
7 legally charged with the care or custody of a child less than
8 fourteen years old, the person leaves the child with another
9 person in reckless disregard of the risk that:

10 (a) Proof of the other person's existence cannot be
11 confirmed or validated through records such as a birth
12 certificate, school diploma, court documents,
13 employment applications, social security records, or
14 documents proving next of kin; or

15 (b) The other person cannot be located or found.

16 (2) Leaving a newborn child at a hospital, fire station,
17 or police station or with emergency services personnel pursuant



1 to section 587D-2 shall not constitute a violation of this
2 section.

3 (3) Abandonment of a child in the second degree is a
4 misdemeanor."

5 SECTION 2. Section 709-902, Hawaii Revised Statutes, is
6 amended follows:

7 1. By amending its title and subsection (1) to read:

8 "**§709-902 Abandonment of a child[-] in the first degree.**

9 (1) A person commits the offense of abandonment of a child in
10 the first degree if, being a parent, guardian, or other person
11 legally charged with the care or custody of a child less than
12 fourteen years old, the person deserts the child in any place
13 with intent to abandon it."

14 2. By amending subsection (3) to read:

15 "(3) Abandonment of a child [~~is a misdemeanor.~~] in the
16 first degree is a class C felony."

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

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 Statutory material to be repealed is bracketed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

22 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

Child Abandonment

Description:

Increases child abandonment to a class C felony and renames the offense to child abandonment in the first degree. Establishes the offense of child abandonment in the second degree and makes it a misdemeanor to abandon a child by leaving the child with a person in reckless disregard of the risk that the person's existence cannot be confirmed or the person cannot be found. Effective 7/1/2050. (SB2886 HD1)

