

JAN 22 2008

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) The other person's true identity is unknown;

11 (B) The other person has no place of residence or
12 employment; or

13 (C) The other person's true place of residence or
14 employment is unknown.

15 (2) Leaving a newborn child at a hospital, fire station,
16 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 to read as follows:

7 "**§709-902 Abandonment of a child**~~[+]~~ in the first degree.

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

13 (2) Leaving a newborn child at a hospital, fire station,
14 or police station or with emergency services personnel pursuant
15 to section 587D-2 shall not constitute a violation of this
16 section.

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

19 SECTION 3. This Act does not affect rights and duties that
20 matured, penalties that were incurred, and proceedings that were
21 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 Statutory material to be repealed is bracketed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.

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Report Title:

Child Abandonment

Description:

Increases child abandonment to a class C felony and renames the offense to child abandonment in the first degree. Makes it a misdemeanor to abandon a child by leaving the child with a person in reckless disregard of the risk that the person is not who the person claims to be or has no ascertainable address.

