

JAN 23 2009

A BILL FOR AN ACT

RELATING TO CHILD ABANDONMENT.

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

1 SECTION 1. Peter "Peter Boy" Kema Jr. disappeared in June
2 1997 and to date, has not been found. Some accounts allege
3 Peter Boy was given to a family friend, whose existence could
4 not be confirmed by police. The purpose of this Act is to deter
5 child abandonment, by expanding the offense to include the act
6 of leaving a child with a person whose identity cannot be
7 proven, or with a person who cannot be located.

8 SECTION 2. Section 709-902, Hawaii Revised Statutes, is
9 amended by amending subsection (1) to read as follows:

10 "§709-902 Abandonment of a child. (1) A person commits
11 the offense of abandonment of a child if, being a parent,
12 guardian, or other person legally charged with the care or
13 custody of a child less than fourteen years old, the person
14 [~~deserts~~]:

15 (a) Deserts the child in any place with intent to abandon

16 it[-]; or

17 (b) Leaves the child with another person knowing that:



- 1 (i) The other person's identity cannot be proven
2 through official records such as a birth
3 certificate, school diploma, court documents,
4 employment applications, Social Security
5 Administration records, or documents proving next
6 of kin; or
7 (ii) The person will not be able to locate or find the
8 other person."

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 Statutory material to be repealed is bracketed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 June 1, 2009.

15

INTRODUCED BY: Will Syms

Michelle D. Adams
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Report Title:

Child Abandonment

Description:

Makes it a misdemeanor to abandon a child by leaving the child with a person whose identity cannot be proven or who cannot be later located.

