

JAN 20 2012

A BILL FOR AN ACT

RELATING TO CHILDREN.

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

1 SECTION 1. Chapter 577, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§577- Child death; reporting. (a) A parent, guardian,
5 or other person having the care, custody, or control of a child
6 under fourteen years of age shall report the death of the child
7 to law enforcement within twenty-four hours after learning of
8 the death of the child, if the child died under circumstances
9 that would lead a reasonable person to believe that the death
10 occurred as the result of a crime.

11 (b) Any person who knowingly, intentionally, or wilfully
12 violates subsection (a) shall be guilty of a class C felony."

13 SECTION 2. Section 577-27, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "[+]§577-27[+] Missing children; reporting. (a) A
16 parent, guardian, or other person having the care, custody, or
17 control of a child under fourteen years of age shall report the
18 missing child to law enforcement within twenty-four hours after



1 learning that the child is missing, if the child disappeared
2 under circumstances that would lead a reasonable person to
3 believe that the disappearance occurred as the result of a
4 crime.

5 ~~[(a)]~~ (b) Upon the filing of a police report that a child
6 is missing by the parent ~~[or]~~, guardian, or other person having
7 the care, custody, or control of the child, the law enforcement
8 agency receiving notification shall:

- 9 (1) Immediately inform all on-duty law enforcement
10 officers of the existence of the missing child report;
- 11 (2) Report pertinent information about the missing child
12 to any other law enforcement agency having
13 jurisdiction in the county; and
- 14 (3) Immediately transmit pertinent information on the
15 missing child for inclusion within the state juvenile
16 justice information system, and, if it appears that
17 the juvenile has left the State or may leave the
18 State, the National Crime Information Center system.

19 ~~[(b)]~~ (c) A missing child report filed with a law
20 enforcement agency ~~[which]~~ that has jurisdiction is sufficient
21 documentation for entering a juvenile in the missing persons'
22 files of the juvenile justice information system, the National



1 Crime Information Center, or both. Law enforcement agencies
2 having jurisdiction over the missing child shall comply with any
3 information required by the National Crime Information Center to
4 effectuate the purpose of this [†]section[†].

5 ~~[(e)]~~ (d) In the case of a parental kidnapping, the law
6 enforcement agency shall obtain a certified copy of the custody
7 papers from the reporting parent ~~[or]~~, guardian ~~[a certified~~
8 ~~copy of the custody papers.]~~, or other person having the care,
9 custody, or control of the child.

10 (e) Any person who knowingly, intentionally, or wilfully
11 violates subsection (a) shall be guilty of a class C felony.

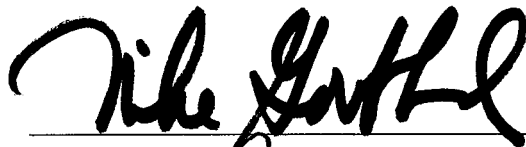
12 (f) Any person who knowingly, intentionally, or wilfully
13 fails to notify law enforcement within twenty-four hours of the
14 disappearance of a child under circumstances other than
15 described in subsection (a) shall be guilty of a misdemeanor."

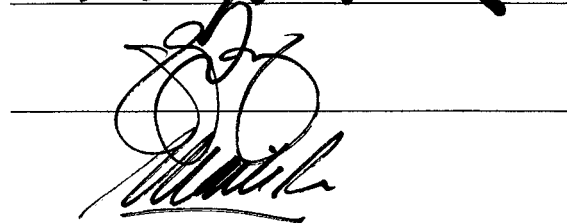
16 SECTION 3. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:







S.B. NO. 2199

Report Title:

Children; Missing; Child Death; Reporting; Offenses

Description:

Requires a parent, guardian, or other person having the care, custody, or control of a child under age fourteen to report the death of the child to law enforcement within twenty-four hours if the child died under circumstances that would lead a reasonable person to believe that the death occurred as the result of a crime; requires a parent, guardian, or other person to report a missing child under age fourteen to law enforcement within twenty-four hours after learning that the child is missing if the child disappeared under circumstances that would lead a reasonable person to believe that the disappearance occurred as the result of a crime; establishes offenses for failure to report.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

