

JAN 23 2020

A BILL FOR AN ACT

RELATING TO MANSLAUGHTER.

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

1 SECTION 1. The legislature finds that when an offender
2 commits a crime that results in the death of another person, and
3 the facts of the case demonstrate the offender's wilful and
4 wanton disregard of the need to exercise care, the prosecutor
5 has an obligation to charge the offender with manslaughter.

6 SECTION 2. Section 707-702, Hawaii Revised Statutes, is
7 amended by amending subsection (1) to read as follows:

8 "(1) A person commits the offense of manslaughter if:

9 (a) The person recklessly causes the death of another
10 person; [~~or~~]

11 (b) The person intentionally causes another person to
12 commit suicide; or

13 (c) The person causes the death of another person, having
14 demonstrated wilful and wanton disregard of the need
15 to exercise reasonable care, which was likely to cause
16 foreseeable grave injury or harm to one or more
17 persons, property, or both;



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1 provided that this section shall not apply to actions taken
2 under chapter 327L."


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

6 SECTION 4. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 5. This Act shall take effect upon its approval.

9

INTRODUCED BY: _____



By Request



S.B. NO. 2786

Report Title:

Manslaughter; Wilful and Wanton Standard

Description:

Authorizes manslaughter prosecutions for wilful and wanton disregard of the need to exercise reasonable care that results in the death of another person.

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