

JAN 18 2019

A BILL FOR AN ACT

RELATING TO PERSISTENT NONSUPPORT.

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- Persistent nonsupport in the first degree. (1)

5 A person commits the offense of persistent nonsupport in the
6 first degree if:

7 (a) The person knowingly and persistently fails to provide
8 support in which the person is legally obliged to
9 provide to a spouse, child, or other dependent for
10 five years or longer; or

11 (b) The person is knowingly \$30,000 or more in arrears of
12 support in which the person is legally obliged to
13 provide to a spouse, child, or other dependent.

14 (2) For the purposes of this section, "support" includes
15 but is not limited to food, shelter, clothing, education, and
16 other necessary care as determined by law.



1 (3) Persistent nonsupport in the first degree is a class C
2 felony."

3 SECTION 2. Section 709-903, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "§709-903 Persistent nonsupport[-] in the second degree.

6 (1) A person commits the offense of persistent nonsupport in
7 the second degree if the person knowingly and persistently fails
8 to provide support which the person can provide and which the
9 person knows the person is legally obliged to provide to a
10 spouse, child, or other dependent.

11 (2) [~~"Support"~~] For the purposes of this section,
12 "support" includes but is not limited to food, shelter,
13 clothing, education, and other necessary care as determined by
14 law.

15 (3) Persistent nonsupport in the second degree is a
16 misdemeanor."

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 Statutory material to be repealed is bracketed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.

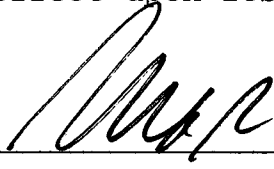


S.B. NO. 733

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

2

INTRODUCED BY:



Clarence K. Fujikura
Gen. Mercado



S.B. NO. 733

Report Title:

Persistent Nonsupport; Spouse; Child; Felony

Description:

Establishes the felony offense of persistent nonsupport in the first degree when a person knowingly and persistently fails to provide support to a child, spouse, or other dependent to whom the person has a legal obligation of support for five years or longer, or is \$30,000 or more in arrears.

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