

A Bill for an Act Relating to Minors' Rights.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 577, Hawaii Revised Statutes, is amended as follows:

1. Section 577-1 is amended to read:

“Sec. 577-1 Age of majority. All persons residing in the State, who have attained the age of eighteen years, shall be regarded as of legal age and their period of minority to have ceased.”

2. Sections 577-6 and 577-7 are amended to read:

“Sec. 577-6 Duty of minor children. All children during their minority shall obey the lawful commands of their parents, or the lawful commands of their natural or adoptive parents, or of the guardians appointed according to law.

Sec. 577-7 Parents' control and duties. Parents or, in case they are both deceased, guardians, legally appointed, shall have control over the conduct and education of their minor children. They shall have the right, at all times, to recover the physical custody of their children by habeas corpus. All parents and guardians shall provide, to the best of their abilities, for the discipline, support, and education of their children.”

3. Section 577-9 is amended to read:

“Sec. 577-9 Jury trial, when. In trials of any person over the age of majority arising under sections 709-902, 709-903, 709-904, and 709-905, the person proceeded against shall have the right to a trial by jury which shall be granted as in other cases, unless waived. If the finding of the jury is against the person tried their verdict shall so state, in which event the court, in its discretion, may enter such judgment as it deems proper in the premises.”

4. Section 577-15 is amended to read:

“Sec. 577-15 Children deemed to be orphans. For the purpose of taking, or determining eligibility to take, any benefit under any law or under any private instrument by the terms of which orphans are eligible to receive benefits, a child born of parents not married to each other and not adopted shall be deemed an orphan; provided that nothing in this section shall be construed (1) to deprive any such child of any rights of inheritance, or to support, or any other rights, to which the child would be entitled, or (2) to affect the liabilities of any other person with respect to any such child to which the person would be subject, if this section had not been enacted.”

5. Section 577-16 is amended as follows:

“Sec. 577-16 Curfew; children in public streets, prohibited when; penalty. Any child under sixteen years of age who, except in case of necessity, or except when permitted so to do in writing by a judge of the family court, goes or remains on any public street, highway, public place, or private place held open to the public after ten o'clock in the evening and before four o'clock in the morning, unaccompanied by either a parent or guardian, or an adult person duly authorized by a parent or guardian to accompany the child, is subject to adjudication under section 571-11(1).”

6. Section 577-17 is repealed.

7. Sections 577-18 and 577-19 are amended to read as follows:

“Sec. 577-18 Parents allowing children in street, prohibited when; penalty. Any parent or guardian having the care, custody, and control of a child under sixteen years of age, who, except in case of necessity, knowingly and voluntarily suffers or permits such child to go or remain on any public street, highway or public place after ten o'clock in the evening and before four o'clock in the morning, unaccompanied by an adult person thereto authorized by such parent or guardian, shall be fined not more than \$100 or imprisoned not more than twenty days.

Sec. 577-19 Children prohibited in certain places, when; penalty. Any keeper of a coffee shop, ice cream parlor, victualing or billiard saloon, bowling alley, skating rink, theater, show house, or premises in which any show, moving picture, or other like public entertainment is given, who permits any child under the age of sixteen years to be or remain upon the premises or in the saloon, rink, theater, show house, or premises, or in whose premises such child may be found between the hours of ten in the evening and six in the morning, unless the child is accompanied by his parent or guardian, or some other adult person thereto authorized by such parent or guardian, shall be fined not more than \$100.”

8. Sections 577-21 through 577-24 are amended to read as follows:

“Sec. 577-21 Curfew ordinances, effect. Each of the counties may enact and enforce ordinances regulating the presence of children in public places and on public streets and roads during certain hours at night.

Upon each of the counties enacting an ordinance pertaining to curfew for children, then so far as that county is concerned, the ordinance shall have full force and effect, and shall supersede sections 577-16, 577-18, 577-19 and 577-20 until the ordinance is repealed or otherwise made invalid.

Sec. 577-22 Female dancing partners, male patrons, age limit. It shall be unlawful for any unmarried minor to frequent, be, or remain upon, in or around the premises of any dance hall where female persons receive any remuneration or compensation, either directly or indirectly, for acting as dancing partners to the male patrons of the dance hall. The acceptance or receipt of any of the proceeds of the sale of any article to any male patron of the dance hall by any such female person under eighteen, or by anyone acting on her behalf, constitutes the receiving or remuneration or compensation within the meaning of this section. Any minor violating this section is subject to adjudication under section 571-11(1).

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Sec. 577-23 Parent et al. responsibility, penalty. Any parent, guardian, or other person having the care, custody, or control of an unmarried minor, who knowingly permits such minor to violate section 577-22, shall be fined not more than \$50 or imprisoned not more than thirty days.

Sec. 577-24 Escort's responsibility; penalty. Any person who knowingly takes, escorts, or accompanies any unmarried minor to a dance hall which the minor is prohibited from attending by section 577-22, or who invites or encourages the minor to attend such dance hall, shall be fined not more than \$100 or imprisoned not more than ninety days."

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 3. This Act shall be effective upon its approval.

(Approved May 10, 1975.)

*Edited accordingly.