

ACT 155

H.B. NO. 3635

A Bill for an Act Relating to Forgeries.

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

SECTION 1. Section 708-850, Hawaii Revised Statutes, is amended by adding the definition of “falsely endorse” to read as follows:

“(9) “Falsely endorse,” in relation to a written instrument, means to endorse, without the authority of the ostensible maker or drawer, any part of a written instrument, whether complete or incomplete, so that the written instrument so endorsed falsely appears or purports to be authorized by the ostensible maker or drawer;”

SECTION 2. Section 708-851, Hawaii Revised Statutes, is amended to read as follows:

“§708-851 Forgery in the first degree. (1) A person commits the offense of forgery in the first degree if, with intent to defraud, he falsely makes, completes, endorses, or alters a written instrument, or utters a forged instrument, which is or purports to be, or which is calculated to become or to represent if completed:

- (a) Part of an issue of stamps, securities, or other valuable instruments issued by a government or governmental agency; or
 - (b) Part of an issue of stock, bonds, or other instruments representing interests in or claims against a corporate or other organization or its property.
- (2) Forgery in the first degree is a class B felony.’’

SECTION 3. Section 708-852, Hawaii Revised Statutes, is amended to read as follows:

“**§708-852 Forgery in the second degree.** (1) A person commits the offense of forgery in the second degree if, with intent to defraud, he falsely makes, completes, endorses, or alters a written instrument, or utters a forged instrument, which is or purports to be, or which is calculated to become or represent if completed, a deed, will, codicil, contract, assignment, commercial instrument, or other instrument which does or may evidence, create, transfer, terminate, or otherwise affect a legal right, interest, obligation, or status.

- (2) Forgery in the second degree is a class C felony.’’

SECTION 4. Section 708-853, Hawaii Revised Statutes, is amended to read as follows:

“**§708-853 Forgery in the third degree.** (1) A person commits the offense of forgery in the third degree if, with intent to defraud, he falsely makes, completes, endorses, or alters a written instrument, or utters a forged instrument.

- (2) Forgery in the third degree is a misdemeanor.’’

SECTION 5. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval.

(Approved June 1, 1988.)