

JAN 20 2012

A BILL FOR AN ACT

RELATING TO THE HAWAII PENAL CODE.

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

SECTION 1. Chapter 709, Hawaii Revised Statutes, is amended by adding two new sections to be appropriately designated and to read as follows:

"§709- Failure to report a missing child. (1) A person commits the offense of failure to report a missing child if, being a parent, guardian, or other person legally charged with the care or custody of a child less than twelve years old, the person intentionally, knowingly, or recklessly fails to:

(A) Make contact with or otherwise verify the whereabouts and safety of the child for a period of forty-eight hours; and

(B) Immediately report the child as missing to law enforcement after forty-eight hours without contact or verification.

(2) Failure to report a missing child is a class B felony if the child suffers serious or substantial bodily injury while missing. Otherwise, failure to report a missing child is a class C felony.



1 §709- Failure to report the death of a child or the
2 location of a child's corpse. (1) A person commits the offense
3 of failure to report the death of a child or the location of a
4 child's corpse if, being a parent, guardian, or other person
5 legally charged with the care or custody of a minor child, the
6 person intentionally or knowingly fails to:

7 (A) Report the child's death to a law enforcement agency
8 within two hours after learning about the child's
9 death; or

10 (B) Report the location of the child's corpse to a law
11 enforcement agency within two hours after learning the
12 location of the corpse;

13 provided that the child's death appears to have occurred under
14 any of the circumstances described in section 841-3.

15 (2) Failure to report the death of a child or the location
16 of a child's corpse is a class B felony."

17 SECTION 2. 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.

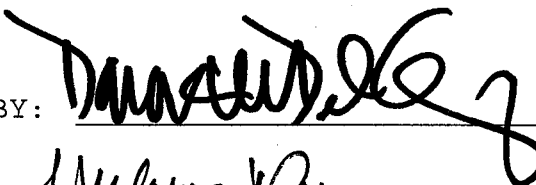
20 SECTION 3. New statutory material is underscored.



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

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INTRODUCED BY:

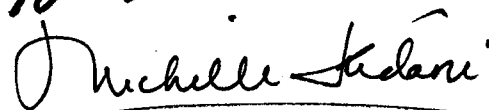


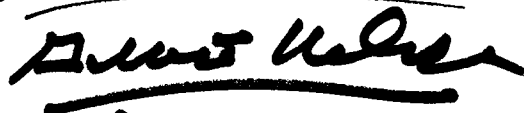


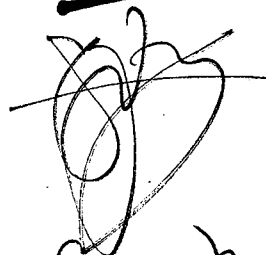


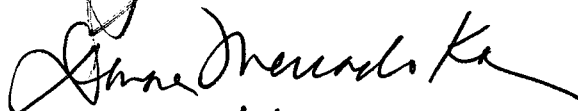


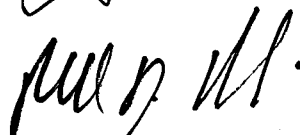
















Report Title:

Failure to report a missing child; Failure to report the death of a child or the location of a child's corpse

Description:

Imposes a duty on parents and guardians to report a missing child within 48 hours. Imposes a duty on parents and guardians to report the death of a child or the location of a child's corpse within 2 hours of discovery. Makes the failure to report a missing child, child's death, or location of a child's corpse a felony.

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

