

JAN 20 2017

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# A BILL FOR AN ACT

RELATING TO CHILDREN.

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

1           SECTION 1. Section 571-21, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:  
3           "(a) Except as provided in subsection (b), whenever the  
4 court is informed by any person that a minor is within the  
5 purview of section 571-11(1) or (2), the intake officer shall  
6 make a preliminary investigation to determine whether informal  
7 adjustment is suitable under section 571-31.4 or 571-31.5[-];  
8 provided that informal adjustment shall be prioritized over  
9 formal action with regard to a child reasonably believed to come  
10 within section 571-11(1) or (2) solely as a result of one or  
11 more violations of section 302A-1132. The court may authorize  
12 the filing of a petition, may make whatever arrangement for  
13 informal adjustment that is suitable under section 571-31.4,  
14 571-31.5, or 571-31.6; or may take such action as is otherwise  
15 allowed under this chapter. Efforts to effect informal  
16 adjustment may be continued not longer than three months without  
17 review by the judge."



1 SECTION 2. Section 571-31.4, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3 "(a) When a child reasonably believed to come within  
4 section 571-11(1) is referred to the court or other designated  
5 agency, and is not diverted from processing, informal adjustment  
6 may be provided to the child by an intake officer duly  
7 authorized by the family court only where the facts reasonably  
8 appear to establish prima facie jurisdiction and are admitted  
9 and where a consent is obtained from the child's parent,  
10 guardian, or legal custodian, and the child, if of sufficient  
11 age and understanding[-]; provided that informal adjustment  
12 shall be prioritized over formal action with regard to a child  
13 reasonably believed to come within section 571-11(1) solely as a  
14 result of one or more violations of section 302A-1132."

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

18 SECTION 4. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

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# S.B. NO. 417

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

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INTRODUCED BY:

*Michael R. Sedani*

*Michael*

*Michelle R. Sedani*



# S.B. NO. 417

**Report Title:**

Children; Schools; Truancy; Informal Adjustment; Priority

**Description:**

Provides that informal adjustment shall be prioritized over formal action for a child under family court jurisdiction solely as a result of truancy.

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

