

---

---

## A BILL FOR AN ACT

RELATING TO MANSLAUGHTER.

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

1           SECTION 1. The legislature finds that when an offender  
2 commits a crime that results in the death of another person, and  
3 the facts of the case demonstrate the offender's wilful and  
4 wanton disregard of the need to exercise care, the prosecutor  
5 has an obligation to charge the offender with manslaughter.

6           SECTION 2. Section 707-702, Hawaii Revised Statutes, is  
7 amended by amending subsection (1) to read as follows:

8           "(1) A person commits the offense of manslaughter if:

9           (a) The person recklessly causes the death of another  
10           person; [~~or~~]

11           (b) The person intentionally causes another person to  
12           commit suicide; or

13           (c) The person causes the death of another person, having  
14           demonstrated wilful and wanton disregard of the need  
15           to exercise reasonable care, which was likely to cause  
16           foreseeable grave injury or harm to one or more  
17           persons, property, or both;



1 provided that this section shall not apply to actions taken  
2 under chapter 327L."

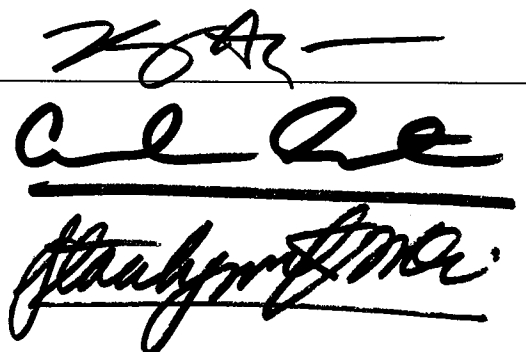
3 SECTION 3. This Act does not affect rights and duties that  
4 matured, penalties that were incurred, and proceedings that were  
5 begun before its effective date.

6 SECTION 4. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

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

9

INTRODUCED BY:

Three handwritten signatures in black ink, stacked vertically. The top signature is the most legible, appearing to be 'K. A.'. The middle signature is more stylized and less legible. The bottom signature is also stylized and less legible. Each signature is written over a horizontal line.

JAN 17 2020



**Report Title:**

Manslaughter; Wilful and Wanton Standard

**Description:**

Authorizes manslaughter prosecutions for wilful and wanton disregard of the need to exercise reasonable care that results in the death of another person.

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

