

ACT 212

S.B. NO. 2221

A Bill for an Act Relating to Child Abuse.

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

SECTION 1. Section 707-751, Hawaii Revised Statutes, is amended by amending subsection (1) to read as follows:

“(1) A person commits the offense of promoting child abuse in the second degree if, knowing or having reason to know its character and content, the person:

- (a) Disseminates child pornography;
- (b) Reproduces child pornography with intent to disseminate;
- (c) Disseminates any book, magazine, periodical, film, videotape, computer disk, or any other material that contains an image of child pornography; [ø]
- (d) Disseminates any pornographic material which employs, uses, or otherwise contains a minor engaging in or assisting others to engage in sexual conduct[-]; or
- (e) Possesses thirty or more images of any form of child pornography, and the content of at least one image contains one or more of the following:
  - (i) A minor who is younger than the age of twelve;
  - (ii) Sadomasochistic abuse of a minor; or
  - (iii) Bestiality involving a minor.”

SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

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

(Approved July 3, 2012.)