



GOV. MSG. NO. 723

EXECUTIVE CHAMBERS

HONOLULU

LINDA LINGLE
GOVERNOR

May 16, 2008

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fourth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on May 16, 2008, the following bill was signed into law:

HB2346 HD2 SD2 CD1

A BILL FOR AN ACT RELATING TO ENDANGERING
THE WELFARE OF A MINOR.
(ACT 81)

Sincerely,

JAMES R. AIONA, JR.
Acting Governor

A BILL FOR AN ACT

RELATING TO ENDANGERING THE WELFARE OF A MINOR.

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

1 SECTION 1. Section 709-903.5, Hawaii Revised Statutes, is
2 amended by amending subsection (1) to read as follows:

3 "(1) Except as provided in subsection (2), a person
4 commits the offense of endangering the welfare of a minor in the
5 first degree if, having care or custody of a minor, the person:

6 (a) Intentionally or knowingly allows another person to
7 inflict serious or substantial bodily injury on the
8 minor; or

9 (b) Intentionally or knowingly causes or permits the minor
10 to inject, ingest [~~methamphetamine~~], inhale, or
11 otherwise introduce into the minor's body any
12 controlled substance listed in sections 329-14,
13 329-16, 329-18, and 329-20 that has not been
14 prescribed by a physician for the minor, except as
15 permitted under section 329-122."

16 SECTION 2. Section 709-904, Hawaii Revised Statutes, is
17 amended by amending subsection (1) to read as follows:



1 "(1) Except as provided in section 709-903.5(2), a person
2 commits the offense of endangering the welfare of a minor in the
3 second degree if, having care or custody of a minor, the person:

4 (a) Recklessly allows another person to inflict serious or
5 substantial bodily injury on the minor; or

6 (b) Recklessly causes or permits the minor to inject,
7 ingest [~~methamphetamine~~], inhale, or otherwise
8 introduce into the minor's body any controlled
9 substance listed in sections 329-14, 329-16, 329-18,
10 and 329-20 that has not been prescribed by a physician
11 for the minor, except as permitted under section
12 329-122. This subsection shall not apply to nursing
13 mothers who may cause the ingestion or introduction of
14 detectable amounts of any controlled substance listed
15 in sections 329-14, 329-16, 329-18, and 329-20 to
16 their minor children through breastfeeding."

17 SECTION 3. 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 4. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.

22 SECTION 5. This Act shall take effect on July 1, 2008.



H.B. NO. 2346
H.D. 2
S.D. 2
C.D. 1

APPROVED this 16 day of MAY, 2008

JAMES R. AIONA JR.



ACTING GOVERNOR

GOVERNOR OF THE STATE OF HAWAII