A BILL FOR AN ACT

RELATING TO THE PENAL CODE.

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

SECTION 1. The purpose of this Act is to amend the penal code to support the preparation and burial of a corpse consistent with traditional Hawaiian cultural customs and practices.

SECTION 2. Section 711-1108, Hawaii Revised Statutes, is amended to read as follows:

"§711-1108 Abuse of a corpse. (1) A person commits the offense of abuse of a corpse if, except as authorized by law, the person treats a human corpse in a way that the person knows would outrage ordinary family sensibilities.

(2) The preparation of a corpse for burial or cremation in a manner consistent with traditional Hawaiian cultural customs and practices shall not be a violation of this section.

(3) The burial or cremation of a corpse prepared consistent with traditional Hawaiian cultural customs and practices shall not be a violation of this section.

(4) Abuse of a corpse is a misdemeanor."
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 Statutory material to be repealed is bracketed and stricken.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.
Report Title:
Abuse of a Corpse; Traditional Hawaiian Cultural Customs and Practices

Description:
Clarifies that preparation, burial, or cremation of a corpse in a manner consistent with traditional Hawaiian cultural customs and practices shall not constitute the offense of abuse of a corpse. (SB1166 HD2)

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