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## A BILL FOR AN ACT

RELATING TO PERSISTENT NONSUPPORT.

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

1           SECTION 1. Chapter 709, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§709- Persistent nonsupport in the first degree. (1)

5 A person commits the offense of persistent nonsupport in the  
6 first degree if:

7           (a) The person knowingly and persistently fails to provide  
8 support in which the person is legally obliged to  
9 provide to a spouse, child, or other dependent for  
10 five years or longer; or

11           (b) The person is knowingly \$30,000 or more in arrears of  
12 support in which the person is legally obliged to  
13 provide to a spouse, child, or other dependent.

14           (2) For the purposes of this section, "support" includes  
15 but is not limited to food, shelter, clothing, education, and  
16 other necessary care as determined by law.



1       (3) Persistent nonsupport in the first degree is a class C  
2 felony."

3       SECTION 2. Section 709-903, Hawaii Revised Statutes, is  
4 amended to read as follows:

5       "§709-903 Persistent nonsupport[-] in the second degree.

6       (1) A person commits the offense of persistent nonsupport in  
7 the second degree if the person knowingly and persistently fails  
8 to provide support which the person can provide and which the  
9 person knows the person is legally obliged to provide to a  
10 spouse, child, or other dependent.

11       (2) [~~"Support"~~] For the purposes of this section,  
12 "support" includes but is not limited to food, shelter,  
13 clothing, education, and other necessary care as determined by  
14 law.

15       (3) Persistent nonsupport in the second degree is a  
16 misdemeanor."

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 Statutory material to be repealed is bracketed  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.

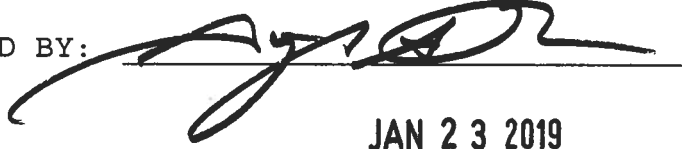


# H.B. NO. 1060

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

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INTRODUCED BY:

A handwritten signature in black ink, written over a horizontal line. The signature is stylized and appears to be "A. J. ...".

JAN 23 2019



# H.B. NO. 1060

**Report Title:**

Persistent Nonsupport; Spouse; Child; Felony

**Description:**

Establishes the felony offense of persistent nonsupport in the first degree when a person knowingly and persistently fails to provide support to a child, spouse, or other dependent to whom the person has a legal obligation of support for five years or longer, or is \$30,000 or more in arrears.

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

