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# A BILL FOR AN ACT

RELATING TO SAFE AND EFFECTIVE DISCIPLINE.

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

1           SECTION 1. The legislature finds that in December 2018,  
2 the American Academy of Pediatrics, an organization of nearly  
3 70,000 pediatricians, issued a policy statement stating:  
4 "Parents, other caregivers, and adults interacting with children  
5 should not use corporal punishment . . . nor any strategy,  
6 including verbal abuse, that causes shame or humiliation."  
7 Hawaii, like other states, has a law that permits the use of  
8 corporal punishment by parents and guardians responsible for the  
9 general care and supervision of children. Section 703-309,  
10 Hawaii Revised Statutes, covers the use of force by parents,  
11 guardians, and other similar caregivers when disciplining  
12 children in their care.

13           The legislature finds that any change to Hawaii's corporal  
14 punishment law requires further examination on how changes to  
15 the law will be applied and the effects of change on the child,  
16 the parent, and the community. Laws and policies on corporal  
17 punishment require extensive consideration, as this issue



1 involves parental-autonomy norms, social and cultural norms, and  
2 personal beliefs, coupled with medical and social-science  
3 perspectives.

4 Accordingly, the purpose of this Act is to convene a  
5 working group to examine the laws relating to corporal  
6 punishment as a form of discipline in the State.

7 SECTION 2. (a) The department of the attorney general  
8 shall convene a working group to examine the laws relating to  
9 corporal punishment as a form of discipline in the State,  
10 including:

11 (1) The use of reasonable corporal punishment; and  
12 (2) Justification of use of force by a parent, guardian,  
13 other person similarly responsible for the general  
14 care and supervision of a minor, principal,  
15 principal's agent, teacher, or person otherwise  
16 entrusted with the care or supervision for a special  
17 purpose of a minor.

18 (b) The working group shall include:

19 (1) The attorney general or the attorney general's  
20 designee;



1 (2) A representative from the Hawaii State Bar Association  
2 with expertise in criminal law; and

3 (3) A representative from the Hawaii State Bar Association  
4 with expertise in family law.

5 (c) The department of the attorney general shall submit a  
6 report of the working group's findings and recommendations,  
7 including any proposed legislation, to the legislature no later  
8 than twenty days prior to the convening of the regular session  
9 of 2021.

10 SECTION 3. This Act shall take effect on December 31,  
11 2059.



**Report Title:**

Reasonable Corporal Punishment; Use of Force; Attorney General;  
Working Group

**Description:**

Requires the AG to convene a working group to examine laws relating to corporal punishment as a form of discipline in the State, and submit a report to the legislature prior to the 2021 regular session. Takes effect on 12/31/2059. (HD1)

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

