A BILL FOR AN ACT

RELATING TO MANSLAUGHTER.

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

SECTION 1. The legislature finds that when an offender commits a crime that results in the death of another person, and the facts of the case demonstrate the offender's wilful and wanton disregard of the need to exercise care, the prosecutor has an obligation to charge the offender with manslaughter.

SECTION 2. Section 707-702, Hawaii Revised Statutes, is amended by amending subsection (1) to read as follows:

"(1) A person commits the offense of manslaughter if:

(a) The person recklessly causes the death of another person; [or]

(b) The person intentionally causes another person to commit suicide; or

(c) The person causes the death of another person, having demonstrated wilful and wanton disregard of the need to exercise reasonable care, which was likely to cause foreseeable grave injury or harm to one or more persons, property, or both;
provided that this section shall not apply to actions taken under chapter 327L."

SECTION 3. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

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 Statutory material to be repealed is bracketed and stricken.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

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

INTRODUCED BY:

JAN 17 2020
Report Title:
Manslaughter; Wilful and Wanton Standard

Description:
Authorizes manslaughter prosecutions for wilful and wanton disregard of the need to exercise reasonable care that results in the death of another person.

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