
A BILL FOR AN ACT

RELATING TO CRIMINAL HOMICIDE.

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

1 SECTION 1. Chapter 707, Hawaii Revised Statutes, is
2 amended by adding a new section to part II to be appropriately
3 designated and to read as follows:

4 "§707- Involuntary manslaughter. (1) A person commits
5 the offense of involuntary manslaughter if the person, while
6 violating any provision of this chapter or chapter 134, 709,
7 710, 711, or 712, negligently causes the death of another
8 person.

9 (2) Involuntary manslaughter is a class C felony."

10 SECTION 2. Section 351-32, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "**§351-32 Violent crimes.** The crimes to which part III of
13 this chapter applies are the following and no other:

14 (1) Murder in the first degree (section 707-701);

15 (2) Murder in the second degree (section 707-701.5);

16 (3) [~~Manslaughter~~] Voluntary manslaughter (section
17 707-702);



- 1 (4) Involuntary manslaughter (section 707-);
- 2 [~~(4)~~] (5) Negligent homicide in the first degree (section
- 3 707-702.5);
- 4 [~~(5)~~] (6) Negligent homicide in the second degree (section
- 5 707-703);
- 6 [~~(6)~~] (7) Negligent injury in the first degree (section
- 7 707-705);
- 8 [~~(7)~~] (8) Negligent injury in the second degree (section
- 9 707-706);
- 10 [~~(8)~~] (9) Assault in the first degree (section 707-710);
- 11 [~~(9)~~] (10) Assault in the second degree (section 707-711);
- 12 [~~(10)~~] (11) Assault in the third degree (section 707-712);
- 13 [~~(11)~~] (12) Kidnapping (section 707-720);
- 14 [~~(12)~~] (13) Sexual assault in the first degree (section
- 15 707-730);
- 16 [~~(13)~~] (14) Sexual assault in the second degree (section
- 17 707-731);
- 18 [~~(14)~~] (15) Sexual assault in the third degree (section
- 19 707-732);
- 20 [~~(15)~~] (16) Sexual assault in the fourth degree (section
- 21 707-733);



1 there is a reasonable explanation. The reasonableness of the
2 explanation shall be determined from the viewpoint of a
3 reasonable person in the circumstances as the defendant believed
4 them to be; provided that an explanation that is not otherwise
5 reasonable shall not be determined to be reasonable because of
6 the defendant's discovery, defendant's knowledge, or the
7 disclosure of the other person's actual or perceived gender,
8 gender identity, gender expression, or sexual orientation,
9 including under circumstances in which the other person made an
10 unwanted nonforcible romantic or sexual advance toward the
11 defendant, or in which the defendant and the other person dated
12 or had a romantic relationship. If the defendant's explanation
13 includes the discovery, knowledge, or disclosure of the other
14 person's actual or perceived gender, gender identity, gender
15 expression, or sexual orientation, the court shall instruct the
16 jury to disregard biases or prejudices regarding the other
17 person's actual or perceived gender, gender identity, gender
18 expression, or sexual orientation in reaching a verdict.

19 (3) [~~Manslaughter~~] Voluntary manslaughter is a class A
20 felony."



1 SECTION 4. Sections 286-124, 286-240, 286-245, 286C-1,
2 321-15.2, 327L-18, 346-97, 431:10C-407, 531B-6, 701-108, and
3 706-662, Hawaii Revised Statutes, are amended by substituting
4 the term "manslaughter in any form", or similar term, wherever
5 the term "manslaughter", or similar term, appears, as the
6 context requires.

7 SECTION 5. This Act does not affect rights and duties that
8 matured, penalties that were incurred, and proceedings that were
9 begun before its effective date.

10 SECTION 6. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 7. This Act shall take effect upon its approval.

13

INTRODUCED BY:



JAN 24 2024



H.B. NO. 2716

Report Title:

Hawaii Penal Code; Involuntary Manslaughter; Felony; Penalty

Description:

Establishes the offense of involuntary manslaughter. Renames the existing offense of manslaughter as voluntary manslaughter. Amends various statutory provisions to accommodate the 2 forms of manslaughter.

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

