

JAN 19 2012

A BILL FOR AN ACT

RELATING TO HARASSMENT.

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

1 SECTION 1. Section 711-1106, Hawaii Revised Statutes, is
2 amended by amending subsection (1) to read as follows:

3 "(1) A person commits the offense of harassment if, with
4 intent to harass, annoy, or alarm any other person, that person:

5 (a) Strikes, shoves, kicks, or otherwise touches another
6 person in an offensive manner or subjects the other
7 person to offensive physical contact;

8 (b) Insults, taunts, or challenges another person in a
9 manner likely to provoke an immediate violent response
10 or that would cause the other person to reasonably
11 believe that the actor intends to cause bodily injury
12 to the recipient or another or damage to the property
13 of the recipient or another;

14 (c) Repeatedly makes telephone calls, facsimile
15 transmissions, or any form of electronic communication
16 as defined in section 711-1111(2), including
17 electronic mail transmissions, without purpose of
18 legitimate communication;



(d) Repeatedly makes a communication anonymously or at an extremely inconvenient hour;

(e) Repeatedly makes communications, after being advised by the person to whom the communication is directed that further communication is unwelcome; [øx]

(f) Makes a communication using offensively coarse language that would cause the recipient to reasonably believe that the actor intends to cause bodily injury to the recipient or another or damage to the property of the recipient or another[-]; or

(g) Makes any form of electronic communication, as defined in section 711-1111(2), including electronic mail transmissions, that is directed at a specific person and causes emotional distress to that person and serves no legitimate purpose."

SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect upon its approval.

2

INTRODUCED BY: *J.L.M.*

Erzanne Cunniff

Will Lyne

Heather J.



S.B. NO. 2104

Report Title:

Harassment; Electronic Communications

Description:

Provides that the making of an electronic communication, as defined in section 711-1111(2), Hawaii Revised Statutes, that is directed at a specific person and causes that person emotional distress and serves no legitimate purpose, together with the required specific intent, is harassment.

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

