

A BILL FOR AN ACT

RELATING TO THE PENAL CODE.

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

1	SECT	ION 1. Section 707-711, Hawaii Revised Statutes, is
2	amended by	y amending subsection (1) to read as follows:
3	"(1)	A person commits the offense of assault in the second
4	degree if	:
5	(a)	The person intentionally or knowingly causes
6		substantial bodily injury to another;
7	(b)	The person recklessly causes serious or substantial
8		bodily injury to another;
9	(c)	The person intentionally or knowingly causes bodily
10		injury to a correctional worker, as defined in section
11		710-1031(2), who is engaged in the performance of duty
12		or who is within a correctional facility;
13	(d)	The person intentionally or knowingly causes bodily
14		injury to another with a dangerous instrument;
15	(e)	The person intentionally or knowingly causes bodily
16	•	injury to an educational worker who is engaged in the
17	•	performance of duty or who is within an educational
18	110 TOO 14	facility. For the purposes of this paragraph,

HB LRB 14-0583.doc

1		"educational worker" means any administrator,
2		specialist, counselor, teacher, or employee of the
3		department of education or an employee of a charter
4		school; a person who is a volunteer, as defined in
5		section 90-1, in a school program, activity, or
6	•	function that is established, sanctioned, or approved
7		by the department of education; or a person hired by
8		the department of education on a contractual basis and
9		engaged in carrying out an educational function;
10	(f)	The person intentionally or knowingly causes bodily
11		injury to any emergency medical services provider who
12		is engaged in the performance of duty. For the
13		purposes of this paragraph, "emergency medical
14		services provider" means emergency medical services
15		personnel, as defined in section 321-222, and
16		physicians, physician's assistants, nurses, nurse
17		practitioners, certified registered nurse
18		anesthetists, respiratory therapists, laboratory
19		technicians, radiology technicians, and social
20		workers, providing services in the emergency room of a
21		hospital;

HB LRB 14-0583.doc

1	(g)	The person intentionally or knowingly causes bodily
2		injury to a person employed at a state-operated or
3		-contracted mental health facility. For the purposes
4		of this paragraph, "a person employed at a state-
5		operated or -contracted mental health facility"
6		includes health care professionals as defined in
7		section 451D-2, administrators, orderlies, security
8		personnel, volunteers, and any other person who is
9		engaged in the performance of a duty at a state-
10		operated or -contracted mental health facility;
11	(h)	The person intentionally or knowingly causes bodily
12		injury to a person who:
13		(i) The defendant has been restrained from, by order
14		of any court, including an ex parte order,
15		contacting, threatening, or physically abusing
16	·	pursuant to chapter 586; or
17		(ii) Is being protected by a police officer ordering
18		the defendant to leave the premises of that
19		protected person pursuant to section 709-906(4),
20		during the effective period of that order; or
21	[十](i)[十]	The person intentionally or knowingly causes bodily
22		injury to any firefighter $[\frac{\Theta r}{L}]_L$ water safety officer

HB LRB 14-0583.doc

1	or liquor commission investigator who is engaged in
2	the performance of duty. For the purposes of this
3	paragraph, "firefighter" has the same meaning as in
4	section 710-1012, [and] "water safety officer" means
5	any public servant employed by the United States, the
6	State, or any county as a lifeguard or person
7	authorized to conduct water rescue or ocean safety
8	functions[-], and "liquor commission investigator"
9	means the same as "investigator" defined in section
10	<u>281-1.</u> "
11	SECTION 2. This Act does not affect rights and duties that
12	matured, penalties that were incurred, and proceedings that were
13	begun before its effective date.
14	SECTION 3. Statutory material to be repealed is bracketed
15	and stricken. New statutory material is underscored.
16	SECTION 4. This Act shall take effect upon its approval.
17	INTRODUCED BY: Hel Mond
	TNTRODUCED BY:

JAN 1 7 2014

Report Title:

Penal Code; Assault; Liquor Commission Investigators

Description:

Provides that a person who intentionally or knowingly causes bodily injury to a liquor commission investigator engaged in the performance of duty commits the offense of assault in the second degree.

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