



GOV. MSG. NO. 1312

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 6, 2021

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 6, 2021, the following bill was signed into law:

HB1107 HD1 SD1

RELATING TO COMPUTER CRIME.
ACT 184 (21)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

Approved by the Governor
on JUL 06 2021
HOUSE OF REPRESENTATIVES
THIRTY-FIRST LEGISLATURE, 2021
STATE OF HAWAII

ACT 184

H.B. NO. 1107
H.D. 1
S.D. 1

A BILL FOR AN ACT

RELATING TO COMPUTER CRIME.

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

1 SECTION 1. The legislature finds that bullying,
2 cyberbullying, and harassment are serious issues that hinder
3 student well-being and achievement, especially when the targets
4 are vulnerable youth.

5 The legislature recognizes that the department of education
6 has recently implemented comprehensive efforts to address
7 bullying, cyberbullying, and harassment in public schools,
8 including the adoption of amended administrative rules that,
9 among other things, provide expanded definitions of and
10 complaint procedures for these forms of student misconduct.

11 However, the legislature also finds that the transition to
12 online classroom environments as a result of the coronavirus
13 disease 2019 pandemic has exacerbated the problems of bullying,
14 cyberbullying, and harassment of vulnerable youth. Children who
15 use devices such as computers, tablets, and smartphones,
16 including children who engage in bullying conduct, often use
17 devices that were purchased or furnished by parents or other



1 adults in the household. Some parents and guardians do not
2 adequately monitor the online activities of their minor
3 children, and this lack of monitoring serves to enable the minor
4 child's bullying conduct. To the extent that bullying,
5 cyberbullying, and harassment are prosecuted under existing
6 penal code offenses that address harassing conduct based on
7 electronic communication, the intent of this Act is to
8 incentivize parents and guardians to better ensure that their
9 minor children refrain from using electronic devices to
10 perpetrate these acts.

11 Accordingly, the purpose of this Act is to:

12 (1) Add aggravated harassment by stalking to the list of
13 offenses upon which the offense of use of a computer
14 in the commission of a separate crime may be based;
15 and

16 (2) Provide the court with the discretion to require the
17 forfeiture of property used in computer crimes if the
18 perpetrator was a minor, regardless of whether the
19 minor owned the property.

20 SECTION 2. Section 708-893, Hawaii Revised Statutes, is
21 amended by amending subsection (1) to read as follows:



1 "(1) A person commits the offense of use of a computer in
2 the commission of a separate crime if the person knowingly uses
3 a computer to identify, select, solicit, persuade, coerce,
4 entice, induce, procure, pursue, surveil, contact, harass,
5 annoy, or alarm the victim or intended victim of the following
6 offenses:

7 (a) Section 707-726, relating to custodial interference in
8 the first degree;

9 (b) Section 707-727, relating to custodial interference in
10 the second degree;

11 (c) Section 707-731, relating to sexual assault in the
12 second degree;

13 (d) Section 707-732, relating to sexual assault in the
14 third degree;

15 (e) Section 707-733, relating to sexual assault in the
16 fourth degree;

17 (f) Section 707-751, relating to promoting child abuse in
18 the second degree;

19 (g) Section 711-1106, relating to harassment;

20 (h) Section 711-1106.4, relating to aggravated harassment
21 by stalking;



H.B. NO. 1107
H.D. 1
S.D. 1

APPROVED this 06 day of  , 2021



GOVERNOR OF THE STATE OF HAWAII

HB No. 1107, HD 1, SD 1

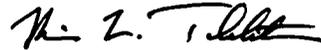
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 22, 2021
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021.



Scott K. Saiki
Speaker
House of Representatives

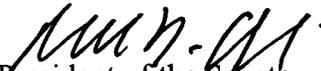


Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: March 29, 2021
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Thirty-First Legislature of the State of Hawai'i, Regular Session of 2021.


President of the Senate


Clerk of the Senate