
A BILL FOR AN ACT

RELATING TO ABUSE OF FAMILY OR HOUSEHOLD MEMBERS.

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

1 SECTION 1. The purpose of this Act is to add coercive
2 control as part of the petty misdemeanor offense of abuse of a
3 family or household member to the pilot program to strengthen
4 state and county responses to domestic violence and increase
5 violator accountability established by Act 19, Regular Session
6 of 2020.

7 SECTION 2. Section 709-906, Hawaii Revised Statutes, is
8 amended by amending subsection (6) to read as follows:

9 "(6) It shall be a petty misdemeanor for a person to
10 intentionally or knowingly strike, shove, kick, or otherwise
11 touch a family or household member in an offensive manner [~~or~~];
12 subject the family member or household member to offensive
13 physical contact; or exercise coercive control, as defined in
14 section 586-1, over a family or household member and the person
15 shall be sentenced as provided in sections 706-640 and 706-663.
16 Upon conviction and sentencing of the defendant, the court may
17 order that the defendant immediately be incarcerated to serve



1 the mandatory minimum sentence imposed; provided that the
2 defendant may be admitted to bail pending appeal pursuant to
3 chapter 804. The court may stay the imposition of the sentence
4 if special circumstances exist."

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

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 Statutory material to be repealed is bracketed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

10 SECTION 5. This Act shall take effect upon its approval;
11 provided that section 2 shall be repealed on June 30, 2026;
12 provided further that section 709-906, Hawaii Revised Statutes,
13 shall be reenacted in the form in which it read on December 31,
14 2020.



Report Title:

Abuse of Family or Household Members; Coercive Control; Petty Misdemeanor

Description:

Adds coercive control as part of the petty misdemeanor offense of abuse of a family or household member to the pilot program to strengthen state and county responses to domestic violence and increase violator accountability established by Act 19, Regular Session of 2020. Sunsets 6/30/2026. (SD1)

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