
A BILL FOR AN ACT

RELATING TO CRIMES AGAINST SPORTS OFFICIALS.

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

1 SECTION 1. Section 706-605.6, Hawaii Revised Statutes, is
2 amended by amending subsection (1) to read as follows:
3 "(1) If a person is convicted of the offense of:
4 (a) Assault in the first degree, as provided by section
5 707-710;
6 (b) Assault in the second degree, as provided by section
7 707-711(a), (b), [~~or (d)~~] (d), or (n);
8 (c) Assault in the third degree, as provided by section
9 707-712;
10 (d) Terroristic threatening in the first degree, as
11 provided by section 707-716(a), (e), or (f); or
12 (e) Terroristic threatening in the second degree, as
13 provided by section 707-717; and
14 the victim of the offense is a sports official engaged in the
15 lawful discharge of the sports official's duties, the court may
16 order, in the court's discretion, that the defendant, in
17 addition to any other punishment imposed pursuant to chapter



1 706, be enjoined from attending any sports event of the type at
2 which the sports official was engaged in the lawful discharge of
3 the sports official's duties for a period of up to twelve months
4 from the date of sentencing for a first offense, and for life
5 for a second or subsequent offense."

6 SECTION 2. Section 707-711, Hawaii Revised Statutes, is
7 amended by amending subsection (1) to read as follows:

8 "(1) A person commits the offense of assault in the second
9 degree if the person:

- 10 (a) Intentionally, knowingly, or recklessly causes
11 substantial bodily injury to another;
- 12 (b) Recklessly causes serious bodily injury to another;
- 13 (c) Intentionally or knowingly causes bodily injury to a
14 correctional worker, as defined in section 710-
15 1031(2), who is engaged in the performance of duty or
16 who is within a correctional facility;
- 17 (d) Intentionally or knowingly causes bodily injury to
18 another with a dangerous instrument;
- 19 (e) Intentionally or knowingly causes bodily injury to an
20 educational worker who is engaged in the performance
21 of duty or who is within an educational facility. For



1 the purposes of this paragraph, "educational worker"
2 means any administrator, specialist, counselor,
3 teacher, or employee of the department of education or
4 an employee of a charter school; a person who is a
5 volunteer, as defined in section 90-1, in a school
6 program, activity, or function that is established,
7 sanctioned, or approved by the department of
8 education; or a person hired by the department of
9 education on a contractual basis and engaged in
10 carrying out an educational function;

11 (f) Intentionally or knowingly causes bodily injury to any
12 emergency medical services provider who is engaged in
13 the performance of duty. For the purposes of this
14 paragraph, "emergency medical services provider" means
15 emergency medical services personnel, as defined in
16 section 321-222, and physicians, physician's
17 assistants, nurses, nurse practitioners, certified
18 registered nurse anesthetists, respiratory therapists,
19 laboratory technicians, radiology technicians, and
20 social workers, providing services in the emergency
21 room of a hospital;



1 (g) Intentionally or knowingly causes bodily injury to a
2 person employed at a state-operated or -contracted
3 mental health facility. For the purposes of this
4 paragraph, "a person employed at a state-operated or -
5 contracted mental health facility" includes health
6 care professionals as defined in section 451D-2,
7 administrators, orderlies, security personnel,
8 volunteers, and any other person who is engaged in the
9 performance of a duty at a state-operated or -
10 contracted mental health facility;

11 (h) Intentionally or knowingly causes bodily injury to a
12 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;



1 (i) Intentionally or knowingly causes bodily injury to any
2 firefighter or water safety officer who is engaged in
3 the performance of duty. For the purposes of this
4 paragraph, "firefighter" has the same meaning as in
5 section 710-1012 and "water safety officer" means any
6 public servant employed by the United States, the
7 State, or any county as a lifeguard or person
8 authorized to conduct water rescue or ocean safety
9 functions;

10 (j) Intentionally or knowingly causes bodily injury to a
11 person who is engaged in the performance of duty at a
12 health care facility as defined in section 323D-2.
13 For purposes of this paragraph, "a person who is
14 engaged in the performance of duty at a health care
15 facility" includes health care professionals as
16 defined in section 451D-2, physician assistants,
17 surgical assistants, advanced practice registered
18 nurses, nurse aides, respiratory therapists,
19 laboratory technicians, and radiology technicians;



- 1 (k) Intentionally or knowingly causes bodily injury to a
2 person who is engaged in providing home health care
3 services, as defined in section 431:10H-201;
- 4 (l) Intentionally or knowingly causes bodily injury to a
5 person, employed or contracted to work by a mutual
6 benefit society, as defined in section 432:1-104, to
7 provide case management services to an individual in a
8 hospital, health care provider's office, or home,
9 while that person is engaged in the performance of
10 those services; [~~or~~]
- 11 (m) Intentionally or knowingly causes bodily injury to a
12 person who is sixty years of age or older and the age
13 of the injured person is known or reasonably should be
14 known to the person causing the injury[~~-~~]; or
- 15 (n) Intentionally or knowingly causes bodily injury to a
16 sports official who is engaged in the lawful discharge
17 of the sports official's duties. For the purposes of
18 this paragraph, "sports official" and "lawful
19 discharge of the sports official's duties" have the
20 same meaning as in section 706-605.6."



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

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

6 SECTION 5. This Act shall take effect upon its approval.

7

INTRODUCED BY:

Dan Holt

JAN 19 2023



H.B. NO. 264

Report Title:

Sports Official; Intentionally or Knowingly Causing Bodily Injury; Felony Assault in the Second Degree

Description:

Makes intentionally or knowingly causing bodily injury to a sports official a class C felony. Authorizes a court to enjoin the offender from attending any sports event of the type at which the sports official was engaged in the lawful discharge of the sports official's duties.

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

