
A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

1 SECTION 1. Chapter 11, Hawaii Revised Statutes, is amended
2 by adding a new section to be appropriately designated and to
3 read as follows:

4 "§11- Election workers; protections; penalty. It shall
5 be a misdemeanor for any person to intentionally, knowingly, or
6 recklessly provide the address, phone number, or electronic mail
7 address of a clerk, election official, or election worker with
8 the intent to intimidate, threaten, harass, or abuse the clerk,
9 election official, or election worker in connection with the
10 performance of their official duties."

11 SECTION 2. Section 11-1, Hawaii Revised Statutes, is
12 amended by adding a new definition to be appropriately inserted
13 and to read as follows:

14 ""Election worker" means an individual designated by the
15 chief election officer or clerk to provide election support
16 services."



1 SECTION 3. Section 707-711, Hawaii Revised Statutes, is
2 amended by amending subsection (1) to read as follows:

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

- 5 (a) Intentionally, knowingly, or recklessly causes
6 substantial bodily injury to another;
- 7 (b) Recklessly causes serious bodily injury to another;
- 8 (c) Intentionally or knowingly causes bodily injury to a
9 correctional worker, as defined in section 710-
10 1031(2), who is engaged in the performance of duty or
11 who is within a correctional facility;
- 12 (d) Intentionally or knowingly causes bodily injury to
13 another with a dangerous instrument;
- 14 (e) Intentionally or knowingly causes bodily injury to an
15 educational worker who is engaged in the performance
16 of duty or who is within an educational facility. For
17 the purposes of this paragraph, "educational worker"
18 means any administrator, specialist, counselor,
19 teacher, or employee of the department of education or
20 an employee of a charter school; a person who is a
21 volunteer, as defined in section 90-1, in a school



1 program, activity, or function that is established,
2 sanctioned, or approved by the department of
3 education; or a person hired by the department of
4 education on a contractual basis and engaged in
5 carrying out an educational function;

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

17 (g) Intentionally or knowingly causes bodily injury to a
18 person employed at a state-operated or -contracted
19 mental health facility. For the purposes of this
20 paragraph, "a person employed at a state-operated or -
21 contracted mental health facility" includes health



1 care professionals as defined in section 451D-2,
2 administrators, orderlies, security personnel,
3 volunteers, and any other person who is engaged in the
4 performance of a duty at a state-operated or -
5 contracted mental health facility;

6 (h) Intentionally or knowingly causes bodily injury to a
7 person who:

8 (i) The defendant has been restrained from, by order
9 of any court, including an ex parte order,
10 contacting, threatening, or physically abusing
11 pursuant to chapter 586; or

12 (ii) Is being protected by a police officer ordering
13 the defendant to leave the premises of that
14 protected person pursuant to section 709-906(4),
15 during the effective period of that order;

16 (i) Intentionally or knowingly causes bodily injury to any
17 firefighter or water safety officer who is engaged in
18 the performance of duty. For the purposes of this
19 paragraph, "firefighter" has the same meaning as in
20 section 710-1012 and "water safety officer" means any
21 public servant employed by the United States, the



1 State, or any county as a lifeguard or person
2 authorized to conduct water rescue or ocean safety
3 functions;

4 (j) Intentionally or knowingly causes bodily injury to a
5 person who is engaged in the performance of duty at a
6 health care facility as defined in section 323D-2.

7 For purposes of this paragraph, "a person who is
8 engaged in the performance of duty at a health care
9 facility" includes health care professionals as
10 defined in section 451D-2, physician assistants,
11 surgical assistants, advanced practice registered
12 nurses, nurse aides, respiratory therapists,
13 laboratory technicians, and radiology technicians;

14 (k) Intentionally or knowingly causes bodily injury to a
15 person who is engaged in providing home health care
16 services, as defined in section 431:10H-201;

17 (l) Intentionally or knowingly causes bodily injury to a
18 person, employed or contracted to work by a mutual
19 benefit society, as defined in section 432:1-104, to
20 provide case management services to an individual in a
21 hospital, health care provider's office, or home,



- 1 while that person is engaged in the performance of
- 2 those services;
- 3 (m) Intentionally or knowingly causes bodily injury to a
- 4 person who is sixty years of age or older and the age
- 5 of the injured person is known or reasonably should be
- 6 known to the person causing the injury; [~~or~~]
- 7 (n) Intentionally or knowingly causes bodily injury to a
- 8 sports official who is engaged in the lawful discharge
- 9 of the sports official's duties. For the purposes of
- 10 this paragraph, "sports official" and "lawful
- 11 discharge of the sports official's duties" have the
- 12 same meaning as in section 706-605.6[-]; or
- 13 (o) Intentionally or knowingly causes bodily injury to any
- 14 clerk, election official, or election worker who is
- 15 engaged in the performance of duty. For the purposes
- 16 of this paragraph, "clerk", "election official", and
- 17 "election worker" have the same meaning as defined in
- 18 section 11-1."

19 SECTION 4. There is appropriated out of the general
 20 revenues of the State of Hawaii the sum of \$ _____ or so
 21 much thereof as may be necessary for fiscal year 2024-2025 for

1 the purchase of products or services to enable the office of
2 elections to remove personal identifying information of clerks,
3 election officials, and election workers from the Internet.

4 The sum appropriated shall be expended by the office of
5 elections for the purposes of this Act.

6 SECTION 5. In accordance with section 9 of article VII of
7 the Hawaii State Constitution and sections 37-91 and 37-93,
8 Hawaii Revised Statutes, the legislature has determined that the
9 appropriations contained in H.B. No. , will cause the state
10 general fund expenditure ceiling for fiscal year 2024-2025 to be
11 exceeded by \$ or per cent. In addition, the
12 appropriation contained in this Act will cause the general fund
13 expenditure ceiling for fiscal year 2024-2025 to be further
14 exceeded by \$ or per cent. The combined total
15 amount of general fund appropriations contained in only these
16 two Acts will cause the state general fund expenditure ceiling
17 for fiscal year 2024-2025 to be exceeded by
18 \$ or per cent. The reasons for exceeding the
19 general fund expenditure ceiling are that:

- 20 (1) The appropriation made in this Act is necessary to
21 serve the public interest; and



1 (2) The appropriation made in this Act meets the needs
2 addressed by this Act.

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

6 SECTION 7. New statutory material is underscored.

7 SECTION 8. This Act shall take effect on July 1, 3000.



Report Title:

Elections; Clerks; Election Officials; Election Workers;
Protections; Penalty; Appropriation; Expenditure Ceiling

Description:

Prohibits the sharing of personal information of clerks, election officials, and election workers for the purposes of intimidation, threats, harassment, or abuse. Amends the offense of assault in the second degree to include causing bodily injury to any clerk, election official, or election worker. Appropriates funds. Effective 7/1/3000. (HD1)

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

