
A BILL FOR AN ACT

RELATING TO PROPERTY DAMAGE OF CRITICAL INFRASTRUCTURE
FACILITIES.

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

1 SECTION 1. Chapter 708, Hawaii Revised Statutes, is
2 amended by adding two new sections to part III to be
3 appropriately designated and to read as follows:

4 "§708-A Criminal property damage of a critical
5 infrastructure facility in the first degree. (1) A person
6 commits the offense of criminal property damage of a critical
7 infrastructure facility in the first degree if the person
8 intentionally or knowingly damages any critical infrastructure
9 facility without the owner or operator's consent and:

10 (a) Recklessly or negligently causes damage in an amount
11 exceeding \$20,000 and recklessly or negligently causes
12 substantial impairment of the critical infrastructure
13 facility; or

14 (b) Knowingly uses a firearm, drone, or explosive weapon
15 in the commission of the offense and recklessly or



1 negligently causes substantial impairment of the
2 critical infrastructure facility.

3 (2) Criminal property damage of a critical infrastructure
4 facility in the first degree is a class A felony.

5 **§708-B Criminal property damage of a critical**
6 **infrastructure facility in the second degree.** (1) A person
7 commits the offense of criminal property damage of a critical
8 infrastructure facility in the second degree if the person
9 intentionally or knowingly damages any critical infrastructure
10 facility without the owner or operator's consent, and recklessly
11 or negligently causes substantial impairment to the critical
12 infrastructure facility.

13 (2) Criminal property damage of a critical infrastructure
14 facility in the second degree is a class B felony."

15 SECTION 2. Section 708-800, Hawaii Revised Statutes, is
16 amended by adding five new definitions to be appropriately
17 inserted and to read as follows:

18 "Critical infrastructure facility" has the same meaning as
19 "critical infrastructure" defined in section 708-890.

20 "Drone" means an unmanned aircraft, watercraft, or ground
21 vehicle or a robotic device that is controlled remotely by a



1 human operator or operates autonomously through computer
2 software or other programming.

3 "Explosive weapon" means any explosive or incendiary device
4 that is designed, made, or adapted for the purpose of inflicting
5 serious bodily injury, death, or substantial property damage, or
6 for the principal purpose of causing such a loud report as to
7 cause undue public alarm or terror. "Explosive weapon"
8 includes:

- 9 (1) An explosive or incendiary bomb, grenade, rocket, and
10 mine;
11 (2) A device designed, made, or adapted for delivering or
12 shooting an explosive weapon; and
13 (3) A device designed, made, or adapted to start a fire in
14 a time-delayed manner.

15 "Firearm" has the same meaning as defined in section 134-1.

16 "Substantial impairment" means impairment of a critical
17 infrastructure facility that:

- 18 (1) Lasts for two hours or more; or
19 (2) Affects one thousand or more retail customers of the
20 affected critical infrastructure facility."



1 SECTION 3. Section 707-702, Hawaii Revised Statutes, is
2 amended by amending subsection (1) to read as follows:

3 "(1) A person commits the offense of manslaughter if:

4 (a) The person recklessly causes the death of another
5 person; [~~or~~]

6 (b) The person intentionally causes another person to
7 commit suicide; or

8 (c) The person commits an offense under section 708-A or
9 section 708-B and as a result of the conduct, causes
10 the death of another person;

11 provided that this section shall not apply to actions taken
12 under chapter 327L."

13 SECTION 4. This Act does not affect rights and duties that
14 matured, penalties that were incurred, and proceedings that were
15 begun before its effective date.

16 SECTION 5. In codifying the new sections added by
17 section 1 of this Act, the revisor of statutes shall substitute
18 appropriate section numbers for the letters used in designating
19 the new sections in this Act.

20 SECTION 6. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



1 SECTION 7. This Act shall take effect upon its approval.



Report Title:

Offenses Against Property Rights; Criminal Property Damage of Critical Infrastructure Facilities; Felony; Manslaughter

Description:

Establishes the offense of criminal property damage to critical infrastructure facilities in the first and second degree. Adds commitment of the offense of criminal damage of critical infrastructure facilities that causes the death of another person to the offense of manslaughter. (SD1)

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

