

ACT 159

S.B. NO. 431

A Bill for an Act Relating to Harassment.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 711, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§711- Aggravated harassment by stalking. (1) A person commits the offense of aggravated harassment by stalking if that person commits the offense of harassment by stalking as provided in section 711-1106.5 and has been convicted previously of harassment by stalking involving the same person under section 711-1106.5 and:

- (a) The actions constituting the present offense are in violation of an existing court order, other than one issued ex parte, restraining the same person from contacting, threatening, or physically abusing the same complainant; or
 - (b) The actions constituting the present offense are in violation of a condition of probation or pretrial release involving the same person.
- (2) Aggravated harassment by stalking is a class C felony.”

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

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.¹

SECTION 4. This Act shall take effect upon its approval.

(Approved June 14, 1995.)

Note

1. Edited pursuant to HRS §23G-16.5.