

ACT 16

S.B. NO. 2312

A Bill for an Act Relating to the Penal Code.

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

SECTION 1. Section 707-750, Hawaii Revised Statutes, is amended by amending the definition of “sexual conduct” in subsection (2) to read as follows:

““Sexual conduct” means ~~[acts of]~~ actual or simulated sexual intercourse, including genital-genital contact, oral-genital contact, anal-genital contact, or oral-anal contact, whether between persons of the same or opposite sex, masturbation, ~~[homosexuality, lesbianism,]~~ bestiality, sexual penetration, deviate sexual intercourse, sadomasochistic abuse, or lascivious exhibition of the genital or pubic area of a minor.”

SECTION 2. Section 707-751, Hawaii Revised Statutes, is amended by amending the definition of “sexual conduct” in subsection (2) to read as follows:

““Sexual conduct” means ~~[acts of]~~ actual or simulated sexual intercourse, including genital-genital contact, oral-genital contact, anal-genital contact, or oral-anal contact, whether between persons of the same or opposite sex, masturbation, ~~[homosexuality, lesbianism,]~~ bestiality, sexual penetration, deviate sexual intercourse, sadomasochistic abuse, or lascivious exhibition of the genital or pubic area of a minor.”

SECTION 3. Section 707-752, Hawaii Revised Statutes, is amended by amending the definition of “sexual conduct” in subsection (2) to read as follows:

~~““Sexual conduct” means [acts of] actual or simulated sexual intercourse, including genital-genital contact, oral-genital contact, anal-genital contact, or oral-anal contact, whether between persons of the same or opposite sex, masturbation, [homosexuality, lesbianism,] bestiality, sexual penetration, deviate sexual intercourse, sadomasochistic abuse, or lascivious exhibition of the genital or pubic area of a minor.”~~

SECTION 4. Section 712-1210, Hawaii Revised Statutes, is amended by amending the definition of “sexual conduct” to read as follows:

~~““Sexual conduct” means acts of masturbation, [homosexuality, lesbianism,] bestiality, sexual intercourse or physical contact with a person’s clothed or unclothed genitals, pubic area, buttocks, or the breast or breasts of a female for the purpose of sexual stimulation, gratification, or perversion.”~~

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 Statutory material to be repealed is bracketed and stricken.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

SECTION 6. This Act shall take effect upon its approval.
(Approved April 26, 2016.)