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## A BILL FOR AN ACT

RELATING TO SEXUAL ASSAULT.

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

1           SECTION 1. Section 707-700, Hawaii Revised Statutes, is  
2 amended by amending the definition of "strong compulsion" to  
3 read as follows:

4           ""Strong compulsion" means the use of or attempt to use one  
5 or more of the following to overcome a person:

6           (1) A threat, express or implied, that places a person in  
7 fear of bodily injury to the individual or another  
8 person, or in fear that the person or another person  
9 will be kidnapped;

10           (2) A dangerous instrument; [~~or~~]

11           (3) Physical force[~~-~~]; or

12           (4) A controlled substance, as defined in section 329-1,  
13 including, but not limited to, gamma hydroxybutyrate  
14 (GHB) or flunitrazepam (rohypnol or "roofies")."

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



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 Statutory material to be repealed is bracketed  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

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

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INTRODUCED BY:

*Jim Kil Kucner*

JAN 25 2006



H.B. NO. 3224

**Report Title:**

Sexual Assault; Date Rape Drugs

**Description:**

Amends the definition of "strong compulsion" to include the use or attempt to use a controlled substance to overcome a person.

