

JAN 18 2008

A BILL FOR AN ACT

RELATING TO MENTAL HEALTH.

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

1 SECTION 1. Section 707-11, 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:

5 (a) The person intentionally or knowingly causes
6 substantial bodily injury to another;

7 (b) The person recklessly causes serious or substantial
8 bodily injury to another;

9 (c) The person intentionally or knowingly causes bodily
10 injury to a correctional worker, as defined in section
11 710-1031(2), who is engaged in the performance of duty
12 or who is within a correctional facility;

13 (d) The person intentionally or knowingly causes bodily
14 injury to another with a dangerous instrument;

15 (e) The person intentionally or knowingly causes bodily
16 injury to an educational worker who is engaged in the
17 performance of duty or who is within an educational



1 facility. For the purposes of this paragraph,
2 "educational worker" means: any administrator,
3 specialist, counselor, teacher, or employee of the
4 department of education or an employee of a charter
5 school; a person who is a volunteer, as defined in
6 section 90-1, in a school program, activity, or
7 function that is established, sanctioned, or approved
8 by the department of education; or a person hired by
9 the department of education on a contractual basis and
10 engaged in carrying out an educational function; [e#]

11 (f) The person intentionally or knowingly causes bodily
12 injury to any emergency medical services personnel who
13 is engaged in the performance of duty. For the
14 purposes of this paragraph, "emergency medical
15 services personnel" shall have the same meaning as in
16 section 321-222[-]; or

17 (g) The person intentionally or knowingly causes bodily
18 injury to a person employed at a state-operated or
19 -contracted mental health facility. For the purposes
20 of this paragraph, "a person employed at a state-
21 operated or -contracted mental health facility"
22 includes health care professionals as defined in



1 section 451D-2, administrators, orderlies, security
2 personnel, volunteers, and any other person who is
3 engaged in the performance of a duty or who is within
4 a state-operated or -contracted mental health
5 facility."

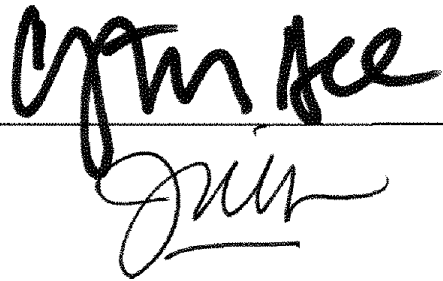
6 SECTION 2. This Act does not affect rights and duties that
7 matured, penalties that were incurred, and proceedings that were
8 begun, before its effective date.

9 SECTION 3. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

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

12

INTRODUCED BY:





Report Title:

Assault; Mental Health Facilities

Description:

Makes assault of a person employed at a state-operated or
-contracted mental health facility a class C felony.

