
A BILL FOR AN ACT

RELATING TO THE PENAL CODE.

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

1 SECTION 1. Section 707-700, Hawaii Revised Statutes, is
2 amended by adding two new definitions to be appropriately
3 inserted and to read as follows:

4 "Firefighter" has the same meaning as in section 710-1012.

5 "Water safety officer" means any public servant employed by
6 the United States, the State, or any county as a lifeguard or
7 person authorized to conduct water rescue or ocean safety
8 functions."

9 SECTION 2. Section 707-712.5, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "§707-712.5 Assault against a law enforcement officer,
12 firefighter, or water safety officer in the first degree. (1)

13 A person commits the offense of assault against a law
14 enforcement officer, firefighter, or water safety officer in the
15 first degree if the person:

16 (a) Intentionally or knowingly causes bodily injury to a
17 law enforcement officer, firefighter, or water safety
18 officer who is engaged in the performance of duty; or



1 (b) Recklessly or negligently causes, with a dangerous
2 instrument, bodily injury to a law enforcement
3 officer, firefighter, or water safety officer who is
4 engaged in the performance of duty.

5 (2) Assault of a law enforcement officer, firefighter, or
6 water safety officer in the first degree is a class C felony.
7 The court [~~shall~~], at a minimum, shall sentence the person who
8 has been convicted of this offense to:

9 (a) An indeterminate term of imprisonment of five years,
10 pursuant to section 706-660; or

11 (b) Five years probation, with conditions to include a
12 term of imprisonment of not less than thirty days
13 without possibility of suspension of sentence."

14 SECTION 3. Section 707-712.6, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "[+]§707-712.6[+] **Assault against a law enforcement**
17 **officer, firefighter, or water safety officer in the second**
18 **degree.** (1) A person commits the offense of assault against a
19 law enforcement officer, firefighter, or water safety officer in
20 the second degree if the person recklessly causes bodily injury
21 to a law enforcement officer, firefighter, or water safety
22 officer who is engaged in the performance of duty.



Report Title:

HSAC Package; Penal Code; Firefighters; Water Safety Officers

Description:

Expands the offenses of assault against a law enforcement officer in the first and second degree to include assaults against firefighters and water safety officers.

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