
A BILL FOR AN ACT

RELATING TO FAMILY RELATIONS.

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

1 SECTION 1. Chapter 709, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§709- Bullying in the home. (1) A person commits the
5 offense of bullying in the home if the person intentionally
6 subjects a family or household member to abusive conduct with
7 intent to create, or in reckless disregard of the risk of
8 creating, an intimidating, threatening, or abusive home
9 environment for the family or household member.

10 (2) For the purposes of this section:

11 (a) "Family or household member" means spouses or
12 former spouses, parents, children, or persons
13 jointly residing or formerly residing in the same
14 dwelling unit; and

15 (b) "Abusive conduct":

16 (i) Means malicious conduct, whether by acts or
17 omission of acts, that a reasonable person
18 would find hostile, based on the severity,



1 nature, and frequency of the defendant's
 2 conduct;
 3 (ii) Includes repeated infliction of verbal abuse
 4 such as the use of derogatory remarks,
 5 insults, and epithets; or verbal or physical
 6 conduct of a threatening, intimidating, or
 7 humiliating nature.

8 (3) Bullying in the home is a misdemeanor.

9 (4) A person convicted under this section shall be
 10 required to undergo a counseling program as ordered by the
 11 court."

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

15 SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY: Mele Carroll
Gregg Hartens

JAN 21 2011



Report Title:

Offenses Against the Family; Bullying

Description:

Makes bullying in the home a misdemeanor offense and requires counseling for anyone convicted of the offense.

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