

JAN 16 2014

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# 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 707-711, 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  
18 facility. For the purposes of this paragraph,



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

10 (f) The person intentionally or knowingly causes bodily  
11 injury to any emergency medical services provider who  
12 is engaged in the performance of duty. For the  
13 purposes of this paragraph, "emergency medical  
14 services provider" means emergency medical services  
15 personnel, as defined in section 321-222, and  
16 physicians, physician's assistants, nurses, nurse  
17 practitioners, certified registered nurse  
18 anesthetists, respiratory therapists, laboratory  
19 technicians, radiology technicians, and social  
20 workers, providing services in the emergency room of a  
21 hospital;



# S.B. NO. 2258

1 (g) The person intentionally or knowingly causes bodily  
2 injury to a person employed at a state-operated or  
3 -contracted mental health facility. For the purposes  
4 of this paragraph, "a person employed at a state-  
5 operated or -contracted mental health facility"  
6 includes health care professionals as defined in  
7 section 451D-2, administrators, orderlies, security  
8 personnel, volunteers, and any other person who is  
9 engaged in the performance of a duty at a state-  
10 operated or -contracted mental health facility;

11 (h) The person intentionally or knowingly causes bodily  
12 injury to a person who:

13 (i) The defendant has been restrained from, by order  
14 of any court, including an ex parte order,  
15 contacting, threatening, or physically abusing  
16 pursuant to chapter 586; or

17 (ii) Is being protected by a police officer ordering  
18 the defendant to leave the premises of that  
19 protected person pursuant to section 709-906(4),  
20 during the effective period of that order; or

21 [+](i)[+] The person intentionally or knowingly causes bodily  
22 injury to any firefighter [~~e~~], water safety officer,





# S.B. NO. 2258

**Report Title:**

Penal Code; Liquor Commission Investigators; Assault in the Second Degree

**Description:**

Establishes knowingly or intentionally causing bodily injury to liquor commission investigators while performing their job duties as assault in the second degree.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

