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# A BILL FOR AN ACT

RELATING TO MURDER.

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

- 1           SECTION 1. Section 707-701, Hawaii Revised Statutes, is  
2 amended by amending subsection (1) to read as follows:
- 3           "(1) A person commits the offense of murder in the first  
4 degree if the person intentionally or knowingly causes the death  
5 of:
- 6           (a) More than one person in the same or separate incident;
  - 7           (b) A law enforcement officer, judge, or prosecutor  
8           arising out of the performance of official duties;
  - 9           (c) A person known by the defendant to be a witness in a  
10           criminal prosecution and the killing is related to the  
11           person's status as a witness;
  - 12           (d) A person by a hired killer, in which event both the  
13           person hired and the person responsible for hiring the  
14           killer shall be punished under this section;
  - 15           (e) A person while the defendant was imprisoned;
  - 16           (f) A person from whom the defendant has been restrained,  
17           by order of any court, including an ex parte order,



1 from contacting, threatening, or physically abusing  
2 pursuant to chapter 586;

3 (g) A person who is being protected by a police officer  
4 ordering the defendant to leave the premises of that  
5 protected person pursuant to section 709-906(4),  
6 during the effective period of that order; [~~or~~]

7 (h) A person known by the defendant to be a witness in a  
8 family court proceeding and the killing is related to  
9 the person's status as a witness[-]; or

10 (i) A person whom the defendant restrained with intent to:

11 (i) Hold the person for ransom or reward; or

12 (ii) Use the person as a shield or hostage."

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

16 SECTION 3. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

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



**Report Title:**

Penal Code; Murder; First Degree; Victim as Shield, Hostage, or Held for Ransom or Reward

**Description:**

Establishes that first degree murder includes the circumstance in which a defendant intentionally or knowingly causes the death of a person whom the defendant restrained for use as a shield or held as a hostage or for ransom or reward. (HB1726 CD1)

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

