
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 707-750, Hawaii Revised Statutes, is
2 amended by amending the definition of "sexual conduct" in
3 subsection (2) to read as follows:

4 "Sexual conduct" means [~~acts of~~] actual or simulated
5 sexual intercourse, including genital-genital contact, oral-
6 genital contact, anal-genital contact, or oral-anal contact,
7 whether between persons of the same or opposite sex,
8 masturbation, [~~homosexuality, lesbianism,~~] bestiality, sexual
9 penetration, deviate sexual intercourse, sadomasochistic abuse,
10 or lascivious exhibition of the genital or pubic area of a
11 minor."

12 SECTION 2. Section 707-751, Hawaii Revised Statutes, is
13 amended by amending the definition of "sexual conduct" in
14 subsection (2) to read as follows:

15 "Sexual conduct" means [~~acts of~~] actual or simulated
16 sexual intercourse, including genital-genital contact, oral-
17 genital contact, anal-genital contact, or oral-anal contact,



1 whether between persons of the same or opposite sex,
2 masturbation, [~~homosexuality, lesbianism,~~] bestiality, sexual
3 penetration, deviate sexual intercourse, sadomasochistic abuse,
4 or lascivious exhibition of the genital or pubic area of a
5 minor."

6 SECTION 3. Section 707-752, Hawaii Revised Statutes, is
7 amended by amending the definition of "sexual conduct" in
8 subsection (2) to read as follows:

9 "Sexual conduct" means [~~acts of~~] actual or simulated
10 sexual intercourse, including genital-genital contact, oral-
11 genital contact, anal-genital contact, or oral-anal contact,
12 whether between persons of the same or opposite sex,
13 masturbation, [~~homosexuality, lesbianism,~~] bestiality, sexual
14 penetration, deviate sexual intercourse, sadomasochistic abuse,
15 or lascivious exhibition of the genital or pubic area of a
16 minor."

17 SECTION 4. Section 712-1210, Hawaii Revised Statutes, is
18 amended by amending the definition of "sexual conduct" to read
19 as follows:

20 "Sexual conduct" means acts of masturbation,
21 [~~homosexuality, lesbianism,~~] bestiality, sexual intercourse or



1 physical contact with a person's clothed or unclothed genitals,
2 pubic area, buttocks, or the breast or breasts of a female for
3 the purpose of sexual stimulation, gratification, or
4 perversion."

5 SECTION 5. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 6. This Act shall take effect upon its approval.



Report Title:

Sexual Conduct; Promotion of Child Abuse; Obscenity

Description:

Expands the definition of the term "sexual conduct" as that term is used in the offenses of promoting child abuse to include specific types of conduct. Amends the definition of "sexual conduct" as that term is used in the offenses of promoting child abuse and obscenity to repeal references to homosexuality and lesbianism. (SB2312 HD1)

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