



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

September 15, 2020

GOV. MSG. NO. 1125

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirtieth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirtieth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on September 15, 2020, the following bill was signed into law:

HB2425 HD1 SD1

RELATING TO DOMESTIC ABUSE.
Act 020 (20)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO DOMESTIC ABUSE.

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

1 SECTION 1. Section 431:10-217.5, Hawaii Revised Statutes,
2 is amended by amending subsection (e) to read as follows:

3 "(e) As used in this section, "domestic abuse" means:

4 (1) Physical harm, bodily injury, assault, or the
5 infliction of fear of imminent physical harm, bodily
6 injury, or assault between family or household
7 members;

8 (2) Sexual assault of one family or household member by
9 another;

10 (3) Stalking of one family or household member by another
11 family or household member; [~~or~~]

12 (4) Intentionally, knowingly, or recklessly causing damage
13 to property so as to intimidate or attempt to control
14 the behavior of another household member ~~[-]~~; or

15 (5) Coercive control, as defined in section 586-1, between
16 family or household members."



1 SECTION 2. Section 432:1-101.6, Hawaii Revised Statutes,
2 is amended by amending subsection (e) to read as follows:

3 "(e) As used in this section, "domestic abuse" means:

4 (1) Physical harm, bodily injury, assault, or the
5 infliction of fear of imminent physical harm, bodily
6 injury, or assault between family or household
7 members;

8 (2) Sexual assault of one family or household member by
9 another;

10 (3) Stalking of one family or household member by another
11 family or household member; [~~or~~]

12 (4) Intentionally, knowingly, or recklessly causing damage
13 to property so as to intimidate or attempt to control
14 the behavior of another household member[-]; or

15 (5) Coercive control, as defined in section 586-1, between
16 family or household members."

17 SECTION 3. Section 432:2-103.5, Hawaii Revised Statutes,
18 is amended by amending subsection (e) to read as follows:

19 "(e) As used in this section, "domestic abuse" means:

20 (1) Physical harm, bodily injury, assault, or the
21 infliction of fear of imminent physical harm, bodily



- 1 injury, or assault between family or household
- 2 members;
- 3 (2) Sexual assault of one family or household member by
- 4 another;
- 5 (3) Stalking of one family or household member by another
- 6 family or household member; [~~or~~]
- 7 (4) Intentionally, knowingly, or recklessly causing damage
- 8 to property so as to intimidate or attempt to control
- 9 the behavior of another household member[~~-~~]; or
- 10 (5) Coercive control, as defined in section 586-1, between
- 11 family or household members."

12 SECTION 4. Section 432D-27, Hawaii Revised Statutes, is
13 amended by amending subsection (e) to read as follows:

14 "(e) As used in this section, "domestic abuse" means:

- 15 (1) Physical harm, bodily injury, assault, or the
- 16 infliction of fear of imminent physical harm, bodily
- 17 injury, or assault between family or household
- 18 members;
- 19 (2) Sexual assault of one family or household member by
- 20 another;



1 (3) Stalking of one family or household member by another
2 family or household member; [~~or~~]

3 (4) Intentionally, knowingly, or recklessly causing damage
4 to property so as to intimidate or attempt to control
5 the behavior of another household member [~~or~~]; or

6 (5) Coercive control, as defined in section 586-1, between
7 family or household members."

8 SECTION 5. Section 586-1, Hawaii Revised Statutes, is
9 amended as follows:

10 1. By adding a new definition to be appropriately inserted
11 and to read:

12 "Coercive control" means a pattern of threatening,
13 humiliating, or intimidating actions, which may include
14 assaults, or other abuse that is used to harm, punish, or
15 frighten an individual. "Coercive control" includes a pattern
16 of behavior that seeks to take away the individual's liberty or
17 freedom and strip away the individual's sense of self, including
18 bodily integrity and human rights, whereby the "coercive
19 control" is designed to make an individual dependent by
20 isolating them from support, exploiting them, depriving them of
21 independence, and regulating their everyday behavior including:



- 1 (1) Isolating the individual from friends and family;
- 2 (2) Controlling how much money is accessible to the
- 3 individual and how it is spent;
- 4 (3) Monitoring the individual's activities,
- 5 communications, and movements;
- 6 (4) Name-calling, degradation, and demeaning the
- 7 individual frequently;
- 8 (5) Threatening to harm or kill the individual or a child
- 9 or relative of the individual;
- 10 (6) Threatening to publish information or make reports to
- 11 the police or the authorities;
- 12 (7) Damaging property or household goods; and
- 13 (8) Forcing the individual to take part in criminal
- 14 activity or child abuse."

15 2. By amending the definition of "domestic abuse" to read:

16 "Domestic abuse" means:

- 17 (1) Physical harm, bodily injury, assault, or the threat
- 18 of imminent physical harm, bodily injury, or assault,
- 19 extreme psychological abuse, coercive control, or
- 20 malicious property damage between family or household
- 21 members; or



1 (2) Any act which would constitute an offense under
2 section 709-906, or under part V or VI of chapter 707
3 committed against a minor family or household member
4 by an adult family or household member."

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

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

APPROVED this 15 day of SEP , 2020



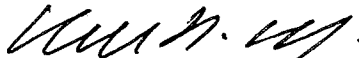
GOVERNOR OF THE STATE OF HAWAII

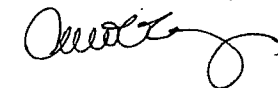


THE SENATE OF THE STATE OF HAWAI'I

Date: July 6, 2020
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2020.


President of the Senate


Clerk of the Senate

HB No. 2425, HD 1, SD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: July 10, 2020
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2020.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives