

JAN 22 2021

A BILL FOR AN ACT

RELATING TO DISORDERLY CONDUCT.

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

1 SECTION 1. The legislature finds that the conveyance of
2 messages containing threats of violence, mass violence, or
3 destruction of property, using various media including the
4 internet, is a growing concern. These messages are often
5 intended as pranks, or are intended to disrupt services such as
6 the operations of educational facilities, and result in the
7 unnecessary expenditure of significant resources by law
8 enforcement agencies. Due to earlier court rulings, the Hawaii
9 Revised Statutes do not criminalize the making of false or
10 misleading threats.

11 Accordingly, the purpose of this Act is to amend the
12 offense of disorderly conduct to include engaging in conduct
13 with the intent to convey certain false or misleading
14 information.

15 SECTION 2. Section 711-1101, Hawaii Revised Statutes, is
16 amended by amending subsection (1) to read as follows:



1 "(1) A person commits the offense of disorderly conduct
2 if, with intent to cause physical inconvenience or alarm by a
3 member or members of the public, or recklessly creating a risk
4 thereof, the person:

5 (a) Engages in fighting or threatening, or in violent or
6 tumultuous behavior;

7 (b) Makes unreasonable noise;

8 (c) Subjects another person to offensively coarse behavior
9 or abusive language which is likely to provoke a
10 violent response;

11 (d) Creates a hazardous or physically offensive condition
12 by any act which is not performed under any authorized
13 license or permit; [or]

14 (e) Impedes or obstructs, for the purpose of begging or
15 soliciting alms, any person in any public place or in
16 any place open to the public[-]; or

17 (f) Engages in any conduct with the intent to convey false
18 or misleading information under circumstances in which
19 the information:

20 (i) May reasonably be believed; and



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(ii) Indicates that an activity has taken, is taking,
or will take place that could result in death,
bodily injury, or property damage, through the
use of a firearm or by widely dangerous means."

SECTION 3. This Act does not affect rights and duties that
matured, penalties that were incurred, and proceedings that were
begun before its effective date.

SECTION 4. Statutory material to be repealed is bracketed
and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

INTRODUCED BY:



By Request



S.B. NO. 395

Report Title:

Honolulu Police Department Package; Disorderly Conduct; False or Misleading Information

Description:

Amends the offense of disorderly conduct to include engaging in conduct with the intent to convey certain false or misleading information.

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

