



GOV. MSG. NO. 1243

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

June 29, 2023

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

The Honorable Scott K. Saiki
Speaker, and Members of the
House of Representatives
Thirty-Second 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 June 29, 2023, the following bill was signed into law:

HB264 SD1

RELATING TO CRIMES AGAINST SPORTS
OFFICIALS.
ACT 140

Sincerely,

Josh Green, M.D.
Governor, State of Hawai'i

on JUN 29 2023

HOUSE OF REPRESENTATIVES
THIRTY-SECOND LEGISLATURE, 2023
STATE OF HAWAII

H.B. NO. 264
S.D. 1

A BILL FOR AN ACT

RELATING TO CRIMES AGAINST SPORTS OFFICIALS.

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

1 SECTION 1. Section 706-605.6, Hawaii Revised Statutes, is
2 amended by amending subsection (1) to read as follows:

3 "(1) If a person is convicted of the offense of:

4 (a) Assault in the first degree, as provided by section
5 707-710;

6 (b) Assault in the second degree, as provided by section
7 ~~[707-711(a),]~~ 707-711(1)(a), (b), ~~(d),~~ (d), or
8 (n);

9 (c) Assault in the third degree, as provided by section
10 707-712;

11 (d) Terroristic threatening in the first degree, as
12 provided by section 707-716(a), (e), or (f); or

13 (e) Terroristic threatening in the second degree, as
14 provided by section 707-717; and

15 the victim of the offense is a sports official engaged in the
16 lawful discharge of the sports official's duties, the court may
17 order, in the court's discretion, that the defendant, in



1 addition to any other punishment imposed pursuant to chapter
2 706, be enjoined from attending any sports event of the type at
3 which the sports official was engaged in the lawful discharge of
4 the sports official's duties for a period of up to twelve months
5 from the date of sentencing for a first offense, and for life
6 for a second or subsequent offense."

7 SECTION 2. Section 707-711, Hawaii Revised Statutes, is
8 amended by amending subsection (1) to read as follows:

9 "(1) A person commits the offense of assault in the second
10 degree if the person:

- 11 (a) Intentionally, knowingly, or recklessly causes
12 substantial bodily injury to another;
- 13 (b) Recklessly causes serious bodily injury to another;
- 14 (c) Intentionally or knowingly causes bodily injury to a
15 correctional worker, as defined in section 710-
16 1031(2), who is engaged in the performance of duty or
17 who is within a correctional facility;
- 18 (d) Intentionally or knowingly causes bodily injury to
19 another with a dangerous instrument;
- 20 (e) Intentionally or knowingly causes bodily injury to an
21 educational worker who is engaged in the performance



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

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



- 1 social workers, providing services in the emergency
2 room of a hospital;
- 3 (g) Intentionally or knowingly causes bodily injury to a
4 person employed at a state-operated or -contracted
5 mental health facility. For the purposes of this
6 paragraph, "a person employed at a state-operated
7 or -contracted mental health facility" includes health
8 care professionals as defined in section 451D-2,
9 administrators, orderlies, security personnel,
10 volunteers, and any other person who is engaged in the
11 performance of a duty at a state-operated
12 or -contracted mental health facility;
- 13 (h) Intentionally or knowingly causes bodily injury to a
14 person who:
- 15 (i) The defendant has been restrained from, by order
16 of any court, including an ex parte order,
17 contacting, threatening, or physically abusing
18 pursuant to chapter 586; or
- 19 (ii) Is being protected by a police officer ordering
20 the defendant to leave the premises of that



1 protected person pursuant to section 709-906(4),

2 during the effective period of that order;

3 (i) Intentionally or knowingly causes bodily injury to any
4 firefighter or water safety officer who is engaged in
5 the performance of duty. For the purposes of this
6 paragraph, "firefighter" has the same meaning as in
7 section 710-1012 and "water safety officer" means any
8 public servant employed by the United States, the
9 State, or any county as a lifeguard or person
10 authorized to conduct water rescue or ocean safety
11 functions;

12 (j) Intentionally or knowingly causes bodily injury to a
13 person who is engaged in the performance of duty at a
14 health care facility as defined in section 323D-2.
15 For purposes of this paragraph, "a person who is
16 engaged in the performance of duty at a health care
17 facility" includes health care professionals as
18 defined in section 451D-2, physician assistants,
19 surgical assistants, advanced practice registered
20 nurses, nurse aides, respiratory therapists,
21 laboratory technicians, and radiology technicians;



- 1 (k) Intentionally or knowingly causes bodily injury to a
2 person who is engaged in providing home health care
3 services, as defined in section 431:10H-201;
- 4 (l) Intentionally or knowingly causes bodily injury to a
5 person, employed or contracted to work by a mutual
6 benefit society, as defined in section 432:1-104, to
7 provide case management services to an individual in a
8 hospital, health care provider's office, or home,
9 while that person is engaged in the performance of
10 those services; ~~[or]~~
- 11 (m) Intentionally or knowingly causes bodily injury to a
12 person who is sixty years of age or older and the age
13 of the injured person is known or reasonably should be
14 known to the person causing the injury~~[-]~~; or
- 15 (n) Intentionally or knowingly causes bodily injury to a
16 sports official who is engaged in the lawful discharge
17 of the sports official's duties. For the purposes of
18 this paragraph, "sports official" and "lawful
19 discharge of the sports official's duties" have the
20 same meaning as in section 706-605.6."

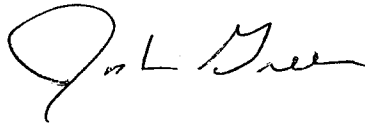


1 SECTION 3. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

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

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

APPROVED this 29th day of June , 2023



GOVERNOR OF THE STATE OF HAWAII




THE SENATE OF THE STATE OF HAWAI‘I

Date: March 24, 2023
Honolulu, Hawai‘i 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Thirty-Second Legislature of the State of Hawai‘i, Regular Session of 2023.



President of the Senate



Clerk of the Senate

HB No. 264, SD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 27, 2023
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2023.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives