

JAN 15 2025

A BILL FOR AN ACT

RELATING TO PROPERTY DAMAGE OF CRITICAL INFRASTRUCTURE
FACILITIES.

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

1 SECTION 1. Chapter 708, Hawaii Revised Statutes, is
2 amended by adding two new sections to part III to be
3 appropriately designated and to read as follows:

4 "§708-A Criminal property damage of a critical
5 infrastructure facility in the first degree. (1) A person
6 commits the offense of criminal property damage of a critical
7 infrastructure facility in the first degree if, without the
8 effective consent of the owner or operator of the critical
9 infrastructure facility, the person:

10 (a) Intentionally or knowingly damages, destroys,
11 vandalizes, or impairs the function of a critical
12 infrastructure facility, in an amount exceeding
13 \$100,000, and as a result of the conduct, causes an
14 extended power outage; or

15 (b) Intentionally or knowingly damages, destroys,
16 vandalizes, or impairs the function of a critical



1 infrastructure facility using a firearm, drone, cyber
2 attack, or explosive weapon in the commission of the
3 offense, and as a result of the conduct, causes an
4 extended power outage.

5 (2) Criminal property damage of a critical infrastructure
6 facility in the first degree is a class A felony.

7 §708-B Criminal property damage of a critical
8 infrastructure facility in the second degree. (1) A person
9 commits the offense of criminal property damage of a critical
10 infrastructure facility in the second degree if, without the
11 effective consent of the owner or operator of the critical
12 infrastructure facility, the person intentionally or knowingly
13 damages, destroys, vandalizes, or impairs the function of a
14 critical infrastructure facility, resulting in an extended power
15 outage.

16 (2) Criminal property damage of a critical infrastructure
17 facility in the second degree is a class B felony."

18 SECTION 2. Section 708-800, Hawaii Revised Statutes, is
19 amended by adding six new definitions to be appropriately
20 inserted and to read as follows:



1 electrical control center, or electrical transmission or
2 distribution facility.

3 "Cyber attack" means an attempt to damage, disrupt, or gain
4 unauthorized access to a computer, computer network, or computer
5 system.

6 "Drone" means an unmanned aircraft, watercraft, or ground
7 vehicle or a robotic device that is controlled remotely by a
8 human operator or operates autonomously through computer
9 software or other programming.

10 "Explosive weapon" means any explosive or incendiary device
11 that is designed, made, or adapted for the purpose of inflicting
12 serious bodily injury, death, or substantial property damage, or
13 for the principal purpose of causing such a loud report as to
14 cause undue public alarm or terror. "Explosive weapon"
15 includes:

16 (1) An explosive or incendiary bomb, grenade, rocket, and
17 mine;

18 (2) A device designed, made, or adapted for delivering or
19 shooting an explosive weapon; and

20 (3) A device designed, made, or adapted to start a fire in
21 a time-delayed manner.



1 "Extended power outage" means a power outage that:
2 (1) Lasts for two hours or more; or
3 (2) Affects one thousand or more meters used to measure
4 electric energy consumption by retail customers.

5 "Firearm" has the same meaning as defined in
6 section 134-1."

7 SECTION 3. Section 707-702, Hawaii Revised Statutes, is
8 amended by amending subsection (1) to read as follows:

9 "(1) A person commits the offense of manslaughter if:

10 (a) The person recklessly causes the death of another
11 person; ~~[or]~~

12 (b) The person intentionally causes another person to
13 commit suicide; or

14 (c) The person commits an offense under section 708-A or
15 section 708-B and as a result of the conduct, causes
16 the death of another person;

17 provided that this section shall not apply to actions taken
18 under chapter 327L."

19 SECTION 4. This Act does not affect rights and duties that
20 matured, penalties that were incurred, and proceedings that were
21 begun before its effective date.



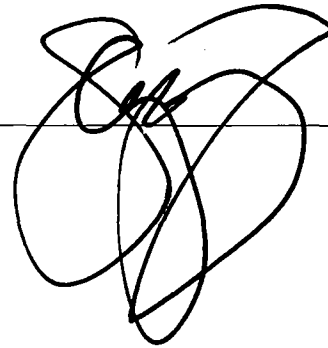
1 SECTION 5. In codifying the new sections added by
2 section 1 of this Act, the revisor of statutes shall substitute
3 appropriate section numbers for the letters used in designating
4 the new sections in this Act.

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.

8

INTRODUCED BY: _____

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S.B. NO. 371

Report Title:

Offenses Against Property Rights; Criminal Property Damage of Critical Infrastructure Facilities; Felony; Manslaughter

Description:

Establishes the offense of criminal property damage to critical infrastructure facilities in the first and second degree. Adds commitment of the offense of criminal damage of critical infrastructure facilities that causes the death of another person to the offense of manslaughter.

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

