

A Bill for an Act Relating to Robbery.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 708-840, Hawaii Revised Statutes, is amended by amending subsection (1) to read as follows:

“(1) A person commits the offense of robbery in the first degree if, in the course of committing theft:

- (a) He attempts to kill another, or intentionally inflicts or attempts to inflict serious bodily injury upon another; or
- (b) He is armed with a dangerous instrument and:
 - (i) He uses force against the person of [the owner or any person] anyone present with intent to overcome [the owner’s] that person’s physical resistance or physical power of resistance; or
 - (ii) He threatens the imminent use of force against the person of anyone who is present with intent to compel acquiescence to the taking of or escaping with the property.”

SECTION 2. Section 708-841, Hawaii Revised Statutes, is amended by amending subsection (1) to read as follows:

“(1) A person commits the offense of robbery in the second degree if, in the course of committing theft:

- (a) He uses force against the person of [the owner or any person] anyone present with the intent to overcome [the owner’s] that person’s physical resistance or physical power of resistance; or
- (b) He threatens the imminent use of force against the person of anyone who is present with intent to compel acquiescence to the taking of or escaping with the property; or
- (c) He recklessly inflicts serious bodily injury upon another.”

SECTION 3. Statutory material to be repealed is bracketed. New material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved May 19, 1983.)