

ACT 175

S.B. NO. 1037

A Bill for an Act Relating to Domestic Violence.

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

SECTION 1. Section 709-906, Hawaii Revised Statutes, is amended by amending subsection (8) to read as follows:

“(8) Where the physical abuse consists of intentionally or knowingly causing bodily injury by impeding the normal breathing or circulation of the blood ~~[of the family or household member]~~ by ~~[applying]~~:

(a) Applying pressure on the throat or the neck[.] with any part of the body or a ligature;

(b) Blocking the nose and mouth; or

(c) Applying pressure to the chest,

abuse of a family or household member is a class C felony[-]; provided that infliction of visible bodily injury shall not be required to establish an offense under this subsection.

For the purposes of this subsection, “bodily injury” shall have the same meaning as in section 707-700.”

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

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 Statutory material to be repealed is bracketed and stricken.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

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

(Approved July 2, 2019.)