



1 SECTION 2. Section 707-700, Hawaii Revised Statutes, is  
2 amended by adding a new definition to be appropriately inserted  
3 and to read as follows:

4 "Simulated firearm" means any object that:

5 (1) Substantially resembles a firearm;

6 (2) Can reasonably be perceived to be a firearm; or

7 (3) Is used or brandished as a firearm."

8 SECTION 3. Section 707-716, Hawaii Revised Statutes, is  
9 amended by amending subsection (1) to read as follows:

10 "(1) A person commits the offense of terroristic  
11 threatening in the first degree if the person commits  
12 terroristic threatening:

13 (a) By threatening another person on more than one  
14 occasion for the same or a similar purpose;

15 (b) By threats made in a common scheme against different  
16 persons;

17 (c) Against a public servant arising out of the  
18 performance of the public servant's official duties.

19 For the purposes of this paragraph, "public servant"  
20 includes but is not limited to an educational worker.

21 "Educational worker" has the same meaning as defined  
22 in section 707-711;



1 (d) Against any emergency medical services personnel who  
2 is engaged in the performance of duty. For purposes  
3 of this paragraph, "emergency medical services  
4 personnel" shall have the same meaning as in section  
5 321-222; or

6 (e) With the use of a dangerous instrument or a simulated  
7 firearm."

8 SECTION 4. Section 708-800, Hawaii Revised Statutes, is  
9 amended by adding a new definition to be appropriately inserted  
10 and to read as follows:

11 "Simulated firearm" means any object that:

12 (1) Substantially resembles a firearm;

13 (2) Can reasonably be perceived to be a firearm; or

14 (3) Is used or brandished as a firearm."

15 SECTION 5. Section 708-840, Hawaii Revised Statutes, is  
16 amended by amending subsection (1) to read as follows:

17 "(1) A person commits the offense of robbery in the first  
18 degree if, in the course of committing theft or non-consensual  
19 taking of a motor vehicle:

20 (a) The person attempts to kill another or intentionally  
21 or knowingly inflicts or attempts to inflict serious  
22 bodily injury upon another;



- 1 (b) The person is armed with a dangerous instrument or a  
2 simulated firearm and:
- 3 (i) The person uses force against the person of  
4 anyone present with intent to overcome that  
5 person's physical resistance or physical power of  
6 resistance; or
- 7 (ii) The person threatens the imminent use of force  
8 against the person of anyone present with intent  
9 to compel acquiescence to the taking of or  
10 escaping with the property;
- 11 (c) The person uses force against the person of anyone  
12 present with the intent to overcome that person's  
13 physical resistance or physical power of resistance  
14 during the time of a civil defense emergency  
15 proclaimed by the governor pursuant to chapter 128,  
16 within the area covered by the civil defense emergency  
17 or during the period of disaster relief under chapter  
18 127; or
- 19 (d) The person threatens the imminent use of force against  
20 the person of anyone present with intent to compel  
21 acquiescence to the taking of or escaping with the  
22 property during the time of a civil defense emergency





**Report Title:**

Criminal Homicide; Simulated Firearm

**Description:**

Includes in the offense of murder in the second degree acts committed with the intent to cause serious bodily injury to another person, which result in the death of that person. Defines "simulated firearm" and makes the use of a simulated firearm during a robbery a robbery in the first degree and while committing an act of terroristic threatening a terroristic threatening in the first degree. Effective September 14, 2047. (SD1)

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

