
A BILL FOR AN ACT

RELATING TO CYBERBULLYING.

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

1 SECTION 1. Section 708-893, Hawaii Revised Statutes, is
2 amended by amending subsection (1) to read as follows:

3 "(1) A person commits the offense of use of a computer in
4 the commission of a separate crime if the person:

5 (a) Intentionally uses a computer to obtain control over
6 the property of the victim to commit theft in the
7 first or second degree; or

8 (b) Knowingly uses a computer to identify, select,
9 solicit, persuade, coerce, entice, induce, [øæ]
10 procure, pursue, surveil, contact, harass, annoy, or
11 alarm the victim or intended victim of the following
12 offenses:

13 (i) Section 707-726, relating to custodial
14 interference in the first degree;

15 (ii) Section 707-727, relating to custodial
16 interference in the second degree;

17 (iii) Section 707-731, relating to sexual assault in
18 the second degree;



1 (iv) Section 707-732, relating to sexual assault in
2 the third degree;

3 (v) Section 707-733, relating to sexual assault in
4 the fourth degree;

5 (vi) Section 707-751, relating to promoting child
6 abuse in the second degree; [~~or~~]

7 (vii) Section 711-1106, relating to harassment;

8 (viii) Section 711-1106.5, relating to harassment by
9 stalking; or

10 [~~(vii)~~] (ix) Section 712-1215, relating to promoting
11 pornography for minors."

12 SECTION 2. The provisions of this Act shall be liberally
13 construed to give effect to the purposes thereof.

14 SECTION 3. Nothing in this Act is intended to interfere
15 with the First Amendment rights of free speech and expression of
16 any person affected.

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

20 SECTION 5. If any provision of this Act, or the
21 application thereof to any person or circumstance, is held
22 invalid, the invalidity does not affect other provisions or



1 applications of the Act that can be given effect without the
2 invalid provision or application, and to this end the provisions
3 of this Act are severable.

4 SECTION 6. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 7. This Act shall take effect upon its approval.



Report Title:

Cyberbullying; Penal Code

Description:

Amends the offense of use of a computer in the commission of a separate crime to also include knowingly using a computer to pursue, surveil, contact, harass, annoy, or alarm a victim or intended victim of certain offenses. (SD2)

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

