



GOV. MSG. NO. 1295

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

June 28, 2012

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

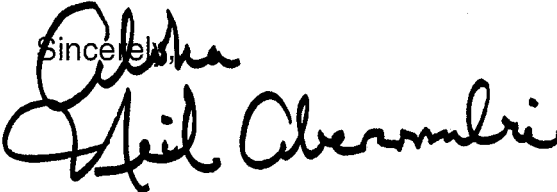
The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on June 28, 2012, the following bill was signed into law:

HB2295 HD1 SD2

RELATING TO CYBERBULLYING.
Act 192 (12)

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

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, [~~or~~]
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; [œ]

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

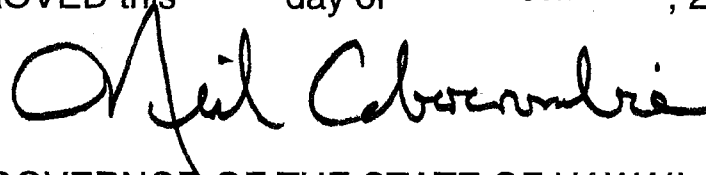


1 applications of the Act that can be given effect without the
2 invalid provision or application, and to this end the provisions
3 of this Act are severable.

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.

APPROVED this 28 day of JUN, 2012



GOVERNOR OF THE STATE OF HAWAII

