
A BILL FOR AN ACT

RELATING TO DOMESTIC VIOLENCE.

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

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

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

7 (a) Applying pressure on the throat or the neck~~[-]~~ with
8 any part of the body or a ligature;

9 (b) Blocking the nose and mouth; or

10 (c) Applying pressure to the chest,

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

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

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



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 Statutory material to be repealed is bracketed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

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



Report Title:

Abuse of Family Member; Domestic Violence; Strangulation; Bodily Injury

Description:

Amends the offense of abuse of family or household member by amending the type of physical abuse that constitutes strangulation to include blocking the nose and mouth or applying pressure to the chest. Clarifies that infliction of a visible bodily injury is not required to establish the offense. (CD1)

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