

JAN 18 2019

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 impeding the normal breathing or circulation of the
5 blood of the family or household member by ~~applying~~:

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

8 (b) Blocking the nose and mouth of the family or household
9 member; or

10 (c) Applying excessive pressure to the chest,
11 abuse of a family or household member is a class C felony^[-];
12 provided that infliction of visible injury shall not be required
13 to establish offense under this subsection."

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



S.B. NO. 1037

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 Statutory material to be repealed is bracketed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 upon its approval.
4

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S.B. NO. 1037

Report Title:

Abuse of Family Member; Domestic Violence; Intimate Partner Violence; Strangulation

Description:

Amends the offense of strangulation of a family or household member to include blocking the nose or mouth of the person or applying excessive pressure to the chest. Clarifies that infliction of visible injury is not required to establish the offense.

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