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# A BILL FOR AN ACT

RELATING TO THE HAWAII NATIONAL GUARD.

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

1           SECTION 1. Last year, President Barack Obama selected  
2 Honolulu as the site for the annual Asia Pacific Economic  
3 Cooperation Leaders Meeting in November 2011. The Asia Pacific  
4 Economic Cooperation is the premier forum for cooperation  
5 between Asia-Pacific economies on trade and investment issues.  
6           The annual Asia Pacific Economic Cooperation gathering is  
7 one of the world's largest intergovernmental meetings and is  
8 attended by heads of state, cabinet ministers, the heads of the  
9 World Bank and World Trade Organization, and other business  
10 leaders. This will be the largest such gathering in Hawaii's  
11 history.  
12           Scheduled for November 12-20, 2011, the meetings will be  
13 very beneficial for Hawaii's economy, as they are expected to  
14 draw more than ten thousand people to Honolulu and will provide  
15 a boost to the State's struggling tourism industry.  
16           High profile events, such as the Asia Pacific Economic  
17 Cooperation meetings, carry many security concerns. With



1 security preparations already underway, it is in the State's  
2 best interest to maximize its security resources.

3 The purpose of this Act is to authorize members of the  
4 Hawaii National Guard to use non-lethal weapons, including  
5 electric guns, to support civil authorities in disaster relief,  
6 civil defense, or law enforcement functions.

7 SECTION 2. Chapter 121, Hawaii Revised Statutes, is  
8 amended by adding a new section to be appropriately designated  
9 and to read as follows:

10 "§121- Use of non-lethal weapons. Members of the army  
11 or air national guard who have been qualified by training and  
12 are authorized by their commanders may use non-lethal weapons,  
13 including as specifically provided in section 134-16(c) and (d),  
14 when assisting civil authorities in disaster relief, civil  
15 defense, or law enforcement functions; provided that "training"  
16 for the purposes of this section shall mean a course of  
17 instruction or training in the use of any non-lethal weapon  
18 authorized pursuant to this section, that is provided or  
19 authorized by the manufacturer or is manufacturer-approved or is  
20 a non-lethal weapons training program approved by the issuing  
21 military authority, prior to deployment or issuance of non-  
22 lethal weapons."



1 SECTION 3. Section 134-16, Hawaii Revised Statutes, is  
2 amended by amending subsections (c) and (d) to read as follows:

3 "(c) This section shall not apply to [~~law~~]:

4 (1) Law enforcement officers of county police  
5 departments[~~, law~~];

6 (2) Law enforcement officers of the department of public  
7 safety[~~, and conservation~~];

8 (3) Conservation and resources enforcement officers of the  
9 department of land and natural resources[~~τ~~];

10 (4) Members of the army or air national guard when  
11 assisting civil authorities in disaster relief, civil  
12 defense, or law enforcement functions; or

13 (5) [~~or vendors~~] Vendors providing electric guns to those  
14 entities;

15 provided that electric guns shall at all times remain in the  
16 custody and control of the law enforcement officers of the  
17 county police departments, the law enforcement officers of the  
18 department of public safety, [~~or~~] the conservation and resources  
19 enforcement officers of the department of land and natural  
20 resources[~~τ~~], or the members of the army or air national guard.

21 (d) The county police departments of this State, the  
22 department of public safety, [~~and~~] the department of land and



1 natural resources, and the army and air national guard shall  
2 maintain records regarding every electric gun in their custody  
3 and control. The records shall report every instance of usage  
4 of the electric guns; in particular, records shall be maintained  
5 in a similar manner as for those of discharging of firearms.  
6 The county police departments, the department of public safety,  
7 [~~and~~] the department of land and natural resources, and the army  
8 and air national guard shall annually report to the legislature  
9 regarding these records no later than twenty days before the  
10 beginning of each regular session of the legislature."

11 SECTION 4. Statutory material to be repealed is bracketed  
12 and stricken. New statutory material is underscored.

13 SECTION 5. This Act shall take effect on January 7, 2059.



**Report Title:**

National Guard; Non-Lethal Weapons; Electric Guns

**Description:**

Authorizes qualified members of the Hawaii national guard to use non-lethal weapons, including electric guns, when assisting civil authorities in disaster relief, civil defense, or law enforcement functions. Effective January 7, 2059. (HB1107 HD1)

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

