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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 among  
5 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, heads of the  
9 World Bank and World Trade Organization, and other business  
10 leaders. This will be the single largest gathering of  
11 distinguished world leaders in Hawaii's history.

12           Scheduled for the week beginning November 13, 2011, the  
13 meetings will be very beneficial for Hawaii's economy, as they  
14 are expected to draw more than ten thousand people to Honolulu  
15 and will provide a boost to the State's struggling tourism  
16 industry.

17           High profile events, such as the Asia-Pacific Economic  
18 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 army  
4 and air national guard to use electric guns to support civil  
5 authorities in disaster relief, civil defense, or law  
6 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 electric guns. Members of the army or air  
11 national guard who have been qualified by training and are  
12 authorized by their commanders may use electric guns, as  
13 specifically provided in section 134-16(c) and (d), when  
14 assisting civil authorities in disaster relief, civil defense,  
15 or law enforcement functions; provided that "training" for the  
16 purposes of this section means a course of instruction or  
17 training in the use of any electric gun authorized pursuant to  
18 this section, that is provided or authorized by the manufacturer  
19 or is manufacturer-approved or is an electric gun training  
20 program approved by the army or air national guard, prior to  
21 deployment or issuance of electric guns and related equipment."



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 [~~or~~  
10 vendors];

11 (4) Members of the army or air national guard when  
12 assisting civil authorities in disaster relief, civil  
13 defense, or law enforcement functions, subject to the  
14 requirements of section 121- ; and

15 (5) Vendors providing electric guns to [~~these entities,~~]  
16 the individuals described in paragraphs (1) through  
17 (4);

18 provided that electric guns shall at all times remain in the  
19 custody and control of the law enforcement officers of the  
20 county police departments, the law enforcement officers of the  
21 department of public safety, [~~or~~] the conservation and resources



1 enforcement officers of the department of land and natural  
2 resources[-], or the members of the army or air national guard.

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

15 SECTION 4. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17 SECTION 5. This Act shall take effect on July 1, 2011.



**Report Title:**

National Guard; Non-Lethal Weapons; Electric Guns

**Description:**

Authorizes members of the army and air national guard who are qualified by training and authorized by their commanders to use electric guns subject to state law when assisting civil authorities in disaster relief, civil defense, or law enforcement functions. (SD2)

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

