

JAN 21 2011

S.B. NO. 749

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# A BILL FOR AN ACT

RELATING TO TOY GUNS.

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

- 1           SECTION 1. Chapter 709, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:
- 4           "§709-           Sale of toy guns to minors prohibited. (1) It  
5 shall be unlawful to sell, attempt to sell, or offer for sale a  
6 toy gun to a minor under eighteen years of age; provided that it  
7 shall be an affirmative defense to any prosecution that the:
- 8           (a) Purchaser falsely represented the purchaser's age by  
9 producing a driver's license bearing a photograph of  
10 the licensee, a state identification card, or similar  
11 card purporting to be a valid identification card  
12 indicating that the purchaser was eighteen years of  
13 age or older;
- 14           (b) Appearance of the purchaser was such that an ordinary  
15 prudent person would believe the purchaser to be  
16 eighteen years of age or older; and
- 17           (c) Sale was made in good faith relying upon the  
18 indicators of age in paragraphs (a) and (b).



1        (2) Any person who violates this section shall be subject  
2 to a fine of not more than \$2,000, imprisonment of not more than  
3 ninety days, or both."

4        SECTION 2. This Act does not affect rights and duties that  
5 matured, penalties that were incurred, and proceedings that were  
6 begun before its effective date.

7        SECTION 3. New statutory material is underscored.

8        SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: Carol Fukunaga



**Report Title:**

Sale of Toy Guns; Minors; Prohibition; Penalty

**Description:**

Prohibits the sale of toy guns to minors.

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

