

JAN 21 2011

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 may use non-lethal weapons, including as
12 specifically provided in section 134-16(c) and (d), when
13 assisting civil authorities in disaster relief, civil defense,
14 or law enforcement functions."

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

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

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

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



1 (3) Conservation and resources enforcement officers of the
2 department of land and natural resources~~[7]~~; or
3 (4) Members of the army or air national guard when
4 assisting civil authorities in disaster relief, civil
5 defense, or law enforcement functions;
6 or vendors providing electric guns to those entities; provided
7 that electric guns shall at all times remain in the custody and
8 control of the law enforcement officers of the county police
9 departments, the law enforcement officers of the department of
10 public safety, ~~[or]~~ the conservation and resources enforcement
11 officers of the department of land and natural resources~~[-]~~, or
12 the members of the army or air national guard.

13 (d) The county police departments of this State, the
14 department of public safety, ~~[and]~~ the department of land and
15 natural resources, and the army and air national guard shall
16 maintain records regarding every electric gun in their custody
17 and control. The records shall report every instance of usage
18 of the electric guns; in particular, records shall be maintained
19 in a similar manner as for those of discharging of firearms.
20 The county police departments, the department of public safety,
21 ~~[and]~~ the department of land and natural resources, and the army
22 and air national guard shall annually report to the legislature



1 regarding these records no later than twenty days before the
2 beginning of each regular session of the legislature."

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 Statutory material to be repealed is bracketed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

5 SECTION 5. This Act shall take effect upon its approval.

6

7 INTRODUCED BY: Will Evers

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Report Title:

National Guard; Non-Lethal Weapons; Electric Guns

Description:

Authorizes 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.

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