
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).



H.B. NO. 432

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.

9

INTRODUCED BY: *Scott Smith*

JAN 21 2011



Report Title:

Sale of Toy Guns; Minors; Prohibition; Penalty

Description:

Prohibits the sale of toy guns to minors.

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