
A BILL FOR AN ACT

RELATING TO FIREARMS.

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

1 SECTION 1. Chapter 134, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§134- Possession and discharge of a loaded firearm
5 while intoxicated. (a) It shall be unlawful for a person to
6 recklessly possess and discharge a loaded firearm in a public
7 place while the person is intoxicated.

8 (b) A person that recklessly possesses and discharges a
9 loaded firearm in a public place who appears to be intoxicated
10 shall be subject to a breath or blood test by a law enforcement
11 officer.

12 (c) For the purposes of this section, a person is in
13 possession of a loaded firearm when the person has immediate
14 physical control over a loaded firearm.

15 (d) For the purposes of this section, a person is
16 intoxicated if the person is under the influence of alcohol or
17 drugs in an amount sufficient to impair the person's normal
18 mental faculties or ability to care for the person and guard



1 against casualty as evidenced by a breath or blood test obtained
2 by a law enforcement officer.

3 (e) Any person violating this section shall be guilty of a
4 petty misdemeanor punishable by up to thirty days imprisonment,
5 a fine of not more than \$1,000, or both."

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

9 SECTION 3. New statutory material is underscored.

10 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Loaded Firearm; Intoxication; Penalty

Description:

Makes it a petty misdemeanor for a person to recklessly possess and discharge a loaded firearm in a public place while the person is intoxicated. Authorizes law enforcement to administer a breath or blood test to a person that recklessly possesses and discharges a loaded firearm in a public place if the person appears to be intoxicated. Takes effect on 7/1/2050. (SD1)

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

