
A BILL FOR AN ACT

RELATING TO SHOOTING RANGE PROTECTION.

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

1 SECTION 1. The legislature finds that shooting ranges in
2 this State serve as valuable resources for target shooting and
3 firearm safety training. Shooting ranges and target shooting
4 facilities are important public recreation resources and provide
5 opportunities for law enforcement agencies and personnel to
6 maintain necessary firearms skills training at minimal cost.
7 The continued existence and viability of shooting ranges are
8 impacted by burdensome retroactive regulation and lawsuits,
9 threatening the availability of vital firearms training for
10 local law enforcement agencies, hunters, and the general public.

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

14 "§134- Sport shooting ranges; protection. (a)
15 Notwithstanding any other provision of law, a person who
16 operates or uses a sport shooting range in the State shall not
17 be subject to civil liability or criminal prosecution in any
18 matter relating to noise or noise pollution resulting from the



1 operation or use of a sport shooting range in compliance with
2 applicable noise control laws or ordinances established after to
3 the date of initial construction or operation of the range.

4 (b) A person who operates or uses a sport shooting range
5 shall not be subject to an action for nuisance, and a court of
6 the State shall not enjoin the use or operation of a range on
7 the basis of noise or noise pollution if the range is in
8 compliance with noise control laws or ordinances established on
9 or prior to the date of initial construction or operation of the
10 range.

11 (c) Rules adopted by a state department or agency to limit
12 noise decibel levels that may occur in the outdoor atmosphere
13 shall not apply to sport shooting ranges if the rules are
14 adopted and apply to the period after the date of initial
15 construction and operation of the range.

16 (d) A person who acquires title to or who owns real
17 property adversely affected by the use of a permanently affixed
18 sport shooting range shall not maintain a nuisance action
19 against an individual who owns the range to restrain, enjoin, or
20 impede the use of the range where there has not been a
21 substantial change in the nature of the use of the range.



1 (e) Any sport shooting range that is operated pursuant to
2 existing law at the time of enactment of an ordinance shall be
3 permitted continued operational use of the shooting range
4 despite nonconformance to a new ordinance or an amendment to an
5 existing ordinance.

6 (f) A person who participates in sport shooting at a sport
7 shooting range accepts obvious and inherent risks associated
8 with participation in the sport, including but not limited to
9 injuries that may result from noise, discharge of a projectile
10 or shot, malfunction of sport shooting equipment not owned by
11 the shooting range, natural variations in terrain, surface, or
12 subsurface, weather conditions, bare spots, rocks, trees, and
13 other forms of natural growth or debris.

14 (g) Except as otherwise provided in this section, this
15 section shall not prohibit local government from regulating the
16 location and construction of a sport shooting range.

17 (h) For purposes of this section:

18 "Local government" means a county, city, or town.

19 "Sport shooting range" or "range" means an area designed
20 and operated for the use of firearms, rifles, shotguns, pistols,
21 silhouettes, skeet, trap, black powder, or any other similar
22 sport shooting."



1 SECTION 3. New statutory material is underscored.

2 SECTION 4. This Act shall take effect on July 1, 2015.

3



Report Title:

Sport Shooting Range Protection; Noise; Retroactive

Description:

Provides protections against burdensome retroactive regulation and lawsuits and prevents frivolous claims against sport shooting range operators and individuals engaging in target shooting. (SD1)

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

