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# A BILL FOR AN ACT

RELATING TO ELECTRIC GUNS.

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

1           SECTION 1. The legislature finds that the United States  
2 Supreme Court decision in *Caetano v. Massachusetts*, 136 S. Ct.  
3 1027 (2016), which overruled a decision of the Massachusetts  
4 Supreme Judicial Court, has raised questions regarding the  
5 constitutionality of complete bans on electric guns, and may  
6 make amendments to Hawaii's law on electric guns advisable.

7           The purpose of this Act is to protect the health and safety  
8 of the public by regulating the sale and use of electric guns  
9 within constitutional limits.

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

13                           **"PART       .   ELECTRIC GUNS**

14           **§134-A Definitions.** As used in this part:

15           "Cartridge" means any device or object that is designed to  
16 be used with an electric gun to project a missile. "Cartridge"  
17 includes but is not limited to a taser cartridge.



1 "Electric gun" means any portable device that is designed to  
2 discharge electric energy, charge, voltage, or current into the  
3 body through direct contact or utilizing a projectile. "Electric  
4 gun" includes but is not limited to devices commonly referred to  
5 as stun guns. It does not include any automatic defibrillator  
6 used in emergency medical situations.

7 "Electric projectile gun" means any electric gun that is  
8 designed to discharge electric energy, charge, voltage, or  
9 current into the body through a projectile. "Electric  
10 projectile gun" includes but is not limited to a taser.

11 "Law enforcement agency" means any county police  
12 department, the department of public safety, department of the  
13 attorney general, department of transportation, division of  
14 conservation and resources enforcement of the department of land  
15 and natural resources, and any other state or county public body  
16 that employs law enforcement officers.

17 "Law enforcement officer" means a sheriff or deputy  
18 sheriff, police officer, employee appointed as a law enforcement  
19 officer by the director of transportation pursuant to section  
20 266-24(a), enforcement officer within the division of  
21 conservation and resources enforcement of the department of land



1 and natural resources, special agent of the department of the  
2 attorney general, and any other public servant vested by law  
3 with a duty to maintain public order, make arrests for offenses,  
4 or enforce criminal laws, whether that duty extends to all  
5 offenses or is limited to a specific class of offenses.

6 "Licensee" means a person licensed to sell or distribute  
7 electric guns pursuant to section 134-E.

8 "Person" means an individual, firm, corporation,  
9 partnership, association, or any form of business or legal  
10 entity.

11 "Transfer" means the granting of possession or ownership to  
12 another, and includes the granting of temporary possession to  
13 another.

14 **§134-B Restrictions on use, sale, and transfer of electric**  
15 **guns.** (a) It shall be unlawful for any person to knowingly or  
16 recklessly use an electric gun for any purpose except:

- 17 (1) Self-defense;  
18 (2) Defense of another person; or  
19 (3) Protection of property of the person or of another  
20 person.



1 (b) It shall be unlawful for any person to knowingly sell,  
2 offer for sale, distribute, or otherwise transfer an electric  
3 gun or cartridge without a license obtained pursuant to section  
4 134-E.

5 It is an affirmative defense to prosecution pursuant to  
6 this subsection, that the person is an adult employee of a  
7 licensee acting within the scope of the person's employment.

8 (c) It shall be unlawful for a licensee or an employee of  
9 a licensee to knowingly sell, distribute, or otherwise transfer  
10 an electric gun or cartridge at a place other than the  
11 licensee's designated place of business.

12 (d) It shall be unlawful for any person to knowingly sell,  
13 offer for sale, distribute, or otherwise transfer an electric  
14 gun or cartridge to any person who is less than twenty-one years  
15 of age.

16 (e) It shall be unlawful for any person other than a  
17 licensee, a law enforcement agency, or the army or air national  
18 guard to knowingly or recklessly purchase, obtain, or otherwise  
19 receive an electric gun or cartridge from a person who does not  
20 have a license issued pursuant to section 134-E.



1 (f) Any person violating this section shall be guilty of a  
2 misdemeanor.

3 **§134-C Permits to acquire electric projectile gun. (a)**

4 No person shall acquire the ownership of an electric projectile  
5 gun, whether usable or unusable, serviceable or unserviceable,  
6 registered by a prior owner or unregistered, either by purchase,  
7 gift, inheritance, bequest, or in any other manner, whether  
8 procured in the State or imported by mail, express, freight, or  
9 otherwise, until the person has first procured from the chief of  
10 police of the county of the person's place of business or, if  
11 there is no place of business, the person's residence or, if  
12 there is neither a place of business nor residence, the person's  
13 place of sojourn, a permit to acquire the ownership of an  
14 electric projectile gun as prescribed in this section. When  
15 title to any electric projectile gun is acquired by inheritance  
16 or bequest, the foregoing permit shall be obtained before taking  
17 possession of an electric projectile gun; provided that upon  
18 presentation of a copy of the death certificate of the owner  
19 making the bequest, any heir or legatee may transfer the  
20 inherited or bequested electric projectile gun directly to a



1 dealer licensed under section 134-E without complying with the  
2 requirements of this section.

3 (b) The permit application form shall include the  
4 applicant's name, address, sex, height, weight, date of birth,  
5 place of birth, country of citizenship, social security number,  
6 alien or admission number, and information regarding the  
7 applicant's mental health history, and shall require the  
8 fingerprinting and photographing of the applicant by the police  
9 department of the county of registration; provided that where  
10 fingerprints and a photograph are already on file with the  
11 department, these may be waived.

12 (c) An applicant for a permit shall sign a waiver at the  
13 time of application, allowing the chief of police of the county  
14 issuing the permit access to any records that have a bearing on  
15 the mental health of the applicant. The permit application form  
16 and the waiver form shall be prescribed by the attorney general  
17 and shall be uniform throughout the State.

18 (d) The chief of police of the respective counties may  
19 issue permits to acquire electric projectile guns to citizens or  
20 legal aliens of the United States who are of the age of twenty-  
21 one years or more.



1 (e) The permit application form shall be signed by the  
2 applicant and by the issuing authority. One copy of the permit  
3 shall be retained by the issuing authority as a permanent  
4 official record. Except for sales to dealers licensed under  
5 section 134-E, no permit shall be issued to an applicant earlier  
6 than fourteen calendar days after the date of the application;  
7 provided that a permit shall be issued, or the application be  
8 denied, before the twentieth day from the date of application.  
9 Permits issued to acquire any electric projectile gun shall be  
10 void unless used within ten days after the date of issue.  
11 Permits to acquire an electric projectile gun shall require a  
12 separate application and permit for each transaction. The  
13 issuing authority shall perform a fingerprint-based background  
14 check pursuant to section 846-2.7, before any determination to  
15 issue a permit or to deny an application is made.

16 (f) In all cases where an electric projectile gun is  
17 acquired from another person within the State, the permit shall  
18 be signed in ink by the person to whom title to the electric  
19 projectile gun is transferred and shall be delivered to the  
20 person who is transferring title to the electric projectile gun,  
21 who shall verify that the person to whom the electric projectile



1 gun is to be transferred is the person named in the permit and  
2 who shall enter on the permit in the space provided the  
3 following information:

- 4 (1) Name of the person to whom the title to the electric  
5 projectile gun was transferred;
- 6 (2) Names of the manufacturer and importer;
- 7 (3) Model; and
- 8 (4) Serial number, as applicable.

9 The person who is transferring title to the electric projectile  
10 gun shall sign the permit in ink and cause the permit to be  
11 delivered or sent by registered mail to the issuing authority  
12 within forty-eight hours after transferring the electric  
13 projectile gun.

14 In all cases where receipt of an electric projectile gun is  
15 had by mail, express, freight, or otherwise from sources without  
16 the State, the person to whom the permit has been issued shall  
17 make the prescribed entries on the permit, sign the permit in  
18 ink, and cause the permit to be delivered or sent by registered  
19 mail to the issuing authority within forty-eight hours after  
20 taking possession of the electric projectile gun.





1 (g) No person shall be issued a permit under this section  
2 unless the person, at any time prior to the issuance of the  
3 permit, has completed an electric projectile gun safety or  
4 training course, offered or approved by the county, that focuses  
5 on:

6 (1) The safe use and handling of electric projectile guns;

7 (2) Current information about the effects, dangers, risks,  
8 and limitations of electric projectile guns; and

9 (3) Education on existing state laws on electric  
10 projectile guns.

11 (h) No person shall sell, give, lend, or deliver into the  
12 possession of another any electric projectile gun except in  
13 accordance with this part.

14 (i) No fee shall be charged for permits, or applications  
15 for permits, under this section, except for a single fee  
16 chargeable by and payable to the issuing county, for individuals  
17 applying for their first permit, in an amount equal to the fee  
18 charged by the Hawaii criminal justice data center pursuant to  
19 section 846-2.7.

20 (j) Any person, including any licensee, violating  
21 subsections (a), (f), or (h) shall be guilty of a misdemeanor.



1           **§134-D Registration.** (a) Every person arriving in the  
 2 State who brings or by any other manner causes to be brought  
 3 into the State an electric gun of any description, whether  
 4 usable or unusable, serviceable or unserviceable, shall register  
 5 the electric gun within five days after arrival of the person or  
 6 of the electric gun, whichever arrives later, with the chief of  
 7 police of the county of the person's place of business or, if  
 8 there is no place of business, the person's residence or, if  
 9 there is neither a place of business nor residence, the person's  
 10 place of sojourn.

11           Every person registering an electric gun under this  
 12 subsection shall be fingerprinted and photographed by the police  
 13 department of the county of registration; provided that this  
 14 requirement shall be waived where fingerprints and photographs  
 15 are already on file with the police department. The police  
 16 department shall perform an inquiry on the person by using the  
 17 International Justice and Public Safety Network, including the  
 18 United States Immigration and Customs Enforcement query, and the  
 19 National Crime Information Center, pursuant to section 846-2.7,  
 20 before any determination to register an electric gun is made.  
 21 If the electric gun has no serial number, an application for a

1 permit pursuant to section 134-C shall be completed and the  
2 permit number shall be entered in the space provided for the  
3 serial number, and the permit number shall be engraved upon the  
4 electric gun prior to registration.

5 (b) Every person who manufactures an electric gun shall  
6 register the electric gun in the manner prescribed by this  
7 section within five days of manufacture. A licensee shall not  
8 be required to have the electric guns physically inspected by  
9 the chief of police at the time of registration.

10 Every person registering an electric gun under this  
11 subsection shall be fingerprinted and photographed by the police  
12 department of the county of registration; provided that this  
13 requirement shall be waived where fingerprints and photographs  
14 are already on file with the police department. The police  
15 department shall perform an inquiry on the person by using the  
16 International Justice and Public Safety Network, including the  
17 United States Immigration and Customs Enforcement query, and the  
18 National Crime Information Center, pursuant to section 846-2.7,  
19 before any determination to register an electric gun is made.  
20 If the electric gun has no serial number, an application for a  
21 permit pursuant to section 134-C shall be completed and the



1 permit number shall be entered in the space provided for the  
2 serial number, and the permit number shall be engraved upon the  
3 electric gun prior to registration.

4 (c) Every person who acquires an electric projectile gun  
5 pursuant to section 134-F shall register the electric projectile  
6 gun in the manner prescribed by this section within five days of  
7 acquisition. If the electric projectile gun has no serial  
8 number, the permit number shall be entered in the space provided  
9 for the serial number, and the permit number shall be engraved  
10 upon the electric projectile gun prior to registration.

11 (d) The registration shall be on forms prescribed by the  
12 attorney general, which shall be uniform throughout the State,  
13 and shall include the following information: name of the  
14 manufacturer and importer; model; serial number; and source from  
15 which receipt was obtained, including the name and address of  
16 the prior registrant. All registration data that would identify  
17 the individual registering the electric gun by name or address  
18 shall be confidential and shall not be disclosed to anyone,  
19 except as may be required:

20 (1) For processing the registration;



1 (2) For database management by the Hawaii criminal justice  
2 data center;

3 (3) By a law enforcement agency for the lawful performance  
4 of its duties; or

5 (4) By order of a court.

6 (e) A licensee shall register electric projectile guns  
7 pursuant to this section on registration forms prescribed by the  
8 attorney general and shall not be required to have the electric  
9 projectile guns physically inspected by the chief of police at  
10 the time of registration.

11 (f) No fee shall be charged for the registration of an  
12 electric gun under this section, except for a fee chargeable by  
13 and payable to the registering county for persons registering an  
14 electric gun under subsection (a) or (b), in an amount equal to  
15 the fee charged by the Hawaii criminal justice data center  
16 pursuant to section 846-2.7.

17 (g) Any person, including any licensee, violating this  
18 section shall be guilty of a misdemeanor.

19 **§134-E License to sell, offer to sell, distribute, or**  
20 **otherwise transfer electric guns; fee.** (a) Any person desiring  
21 to sell, offer for sale, distribute, or otherwise transfer



1 electric guns or cartridges to a person in the State, either at  
2 wholesale or retail, shall annually file an application for a  
3 license to do so with the county in which the person desires to  
4 conduct business or within the county to which the person  
5 intends the electric guns to be distributed, using forms  
6 prescribed by the county.

7 (b) If the applicant is an individual, the application and  
8 supporting documentation shall establish at least the following:

- 9 (1) The legal name, date of birth, and the last four  
10 digits of the social security number of the  
11 individual;
- 12 (2) The street address, telephone number, fax number, and  
13 electronic mail address of the individual;
- 14 (3) The name and location of the principal place of  
15 business of the individual and, if applicable, each  
16 additional designated place of business from which the  
17 individual desires to sell electric guns;
- 18 (4) The individual's Hawaii tax identification number;
- 19 (5) The individual has no convictions for any felony  
20 offense;



1 (6) The applicant has completed an electric gun safety or  
2 training course, offered or approved by the county,  
3 that focuses on:

- 4 (A) The safe use and handling of electric guns;
- 5 (B) Current information about the effects, dangers,  
6 risks, and limitations of electric guns; and
- 7 (C) Education on existing state laws on electric  
8 guns; and

9 (7) Any other additional information the county may  
10 require.

11 (c) If the applicant is not an individual, the application  
12 and supporting documentation shall establish at least the  
13 following:

- 14 (1) The name of the applying entity and any other name  
15 under which the applying entity does business, if  
16 applicable;
- 17 (2) The street address, telephone number, fax number, and  
18 electronic mail address of the applying entity;
- 19 (3) The legal name, date of birth, and the last four  
20 digits of the social security number of each of the  
21 principals or members of the applying entity;



- 1           (4) The street address, telephone number, fax number, and  
2           electronic mail address of each of the principals or  
3           members of the applying entity;
- 4           (5) The name and location of the principal place of  
5           business of the applying entity and, if applicable,  
6           each additional designated place of business from  
7           which the applying entity desires to sell electric  
8           guns;
- 9           (6) That the applying entity is registered to do business  
10          in the State;
- 11          (7) That the applying entity is composed only of  
12          principals or members who have had no convictions for  
13          any felony offense;
- 14          (8) That the applying entity has a Hawaii tax  
15          identification number;
- 16          (9) That the applying entity has a federal employer  
17          identification number;
- 18          (10) That at least one principal or member of the applying  
19          entity has completed an electric gun safety or  
20          training course, offered or approved by the county,  
21          that focuses on:





- 1           (A) The safe use and handling of electric guns;
- 2           (B) Current information about the effects, dangers,
- 3                 risks, and limitations of electric guns; and
- 4           (C) Education on existing state laws on electric
- 5                 guns; and
- 6           (11) Any other information that the county may require.
- 7           (d) The applicant shall certify that the applicant will
- 8           comply at all times with all provisions of law relative to the
- 9           acquisition, possession, storage, sale, distribution, and
- 10           transfer of electric guns, and shall also certify that it is
- 11           responsible for compliance by its employees of all provisions of
- 12           law relative to the acquisition, possession, storage, sale,
- 13           distribution, and transfer of electric guns.
- 14           (e) Upon receipt of the completed application form and the
- 15           annual licensing fee of \$50 payable to the county, the county
- 16           shall review the application and may issue a license to the
- 17           applicant if it determines that the applicant meets all the
- 18           requirements of this section. If requested by the licensee, the
- 19           county shall provide certified copies of the license to the
- 20           licensee.



1 (f) A license issued hereunder shall expire on June 30 of  
2 the year following the date of issuance of the license unless  
3 sooner terminated. An application for renewal of a license  
4 shall be filed on or before July 1 of each year.

5 **§134-F Sale, distribution, or transfer of electric guns.**

6 (a) A licensee shall post the license to sell, distribute, or  
7 otherwise transfer electric guns or cartridges, or a certified  
8 copy thereof, in a location readily visible to customers at each  
9 designated place of business. For internet sales by a licensee,  
10 the license number shall be prominently displayed and an  
11 electronic copy of the license shall be readily accessible to  
12 the customer.

13 (b) An individual licensee shall complete an electric gun  
14 safety or training course, offered or approved by the county,  
15 that focuses on:

- 16 (1) The safe use and handling of electric guns;
- 17 (2) Current information about the effects, dangers, risks,  
18 and limitations of electric guns; and
- 19 (3) Education on existing state laws on electric guns.



1 A licensee shall keep copies of the certificates of  
2 completion of these training courses in the licensee's business  
3 records.

4 (c) A licensee shall not allow an employee to participate  
5 in the sale, distribution, or transfer of electric guns or  
6 cartridges until the employee completes an electric gun safety  
7 or training course, offered or approved by the county, that  
8 focuses on:

- 9 (1) The safe use and handling of electric guns;
- 10 (2) Current information about the effects, dangers, risks,  
11 and limitations of electric guns; and
- 12 (3) Education on existing state laws on electric guns.

13 A licensee shall keep copies of the certificates of  
14 completion of these training courses for each of these employees  
15 in the licensee's business records.

16 (d) If there is no manufacturer serial number on an  
17 electric gun or cartridge received into inventory by a licensee,  
18 then the licensee shall engrave on the electric gun or cartridge  
19 a legible unique serial number that begins with the licensee's  
20 license number, followed by a hyphen and a unique identifying  
21 number.



1 (e) A licensee shall keep records for all electric guns  
2 and cartridges received into inventory within the State,  
3 including:

- 4 (1) Information identifying the seller, distributor, or  
5 transferor of the electric gun or cartridge; and  
6 (2) The transaction record for the electric gun or  
7 cartridge, including the date of receipt, a  
8 description of the electric gun or cartridge, the  
9 manufacturer's serial number or the unique identifying  
10 serial number engraved by the licensee, and if  
11 available, the manufacturer and the model number.

12 (f) Prior to completing a sale, distribution, or other  
13 transfer of an electric gun that does not require the purchaser  
14 to obtain a permit, the licensee or an employee of the licensee  
15 shall provide an informational briefing to the recipient that  
16 includes but is not limited to the following:

- 17 (1) The safe use and handling of electric guns;  
18 (2) Current information about the effects, dangers, risks,  
19 and limitations of electric guns;  
20 (3) Education on existing state laws on electric guns; and  
21 (4) The proper disposal of electric guns.



1 (g) Upon completion of the informational briefing, the  
2 licensee shall provide a certification that includes the names  
3 of the recipient and the person who provided the informational  
4 briefing and the date of the briefing. The certificate shall be  
5 signed and dated by the recipient and the person who provided  
6 the briefing, acknowledging the completion of the briefing and  
7 that the recipient understood the briefing. The form of the  
8 certification shall be as provided by the county office that  
9 issued the license to the licensee.

10 (h) A licensee shall keep a record of the information  
11 provided to recipients during the informational briefings.

12 (i) A licensee shall keep records of all sales,  
13 distributions, and other transfers of electric guns and  
14 cartridges sold in the State or to a recipient in the State,  
15 including:

16 (1) The recipient's name, date of birth, address, and  
17 telephone number;

18 (2) A copy of the recipient's government-issued  
19 identification card or document;

20 (3) The transaction record for the electric gun or  
21 cartridge, including the date of the transaction,



1 description of the electric gun or cartridge, name of  
2 the manufacturer, serial and model numbers, and if  
3 necessary, the unique serial number engraved on the  
4 electric gun or cartridge by the licensee;

5 (4) A copy of the certification required under subsection  
6 (g), signed and dated by the recipient and the person  
7 who provided the briefing;

8 (5) For sales of an electric projectile gun, a copy of the  
9 permit; and

10 (6) For sales of a cartridge, a copy of the registration  
11 for an electric projectile gun.

12 (j) A licensee shall keep a record of the licensee's  
13 current inventory of electric guns and cartridges.

14 (k) During normal business hours, a licensee shall allow  
15 the chief of police of the appropriate county or the chief's  
16 designee to inspect the licensee's books and records for all  
17 records required to be kept by the licensee under this section.  
18 At the discretion of the chief of police or the chief's  
19 designee, the inspection may be conducted via facsimile  
20 transmittal of the records.



1 (l) A licensee shall keep records required by this section  
2 for a minimum of ten years. If a licensee, as a result of death  
3 or dissolution, cannot maintain the records, the records shall  
4 be turned over to the chief of police of the appropriate county  
5 or the chief's designee.

6 (m) When displaying or storing electric guns or cartridges  
7 at designated places of business, a licensee shall display or  
8 store the electric guns and cartridges in a locked cabinet or  
9 area not accessible to the general public.

10 (n) During normal business hours, a licensee shall allow  
11 the chief of police of the appropriate county or the chief's  
12 designee to physically inspect all electric guns and cartridges  
13 in the possession and control of the licensee wherever they may  
14 be located within the State.

15 (o) A licensee shall only sell, distribute, or transfer a  
16 cartridge to a person who presents an original registration for  
17 an electric projectile gun that is in the person's name.

18 (p) Any person, including any licensee, violating this  
19 section shall be guilty of a misdemeanor.

20 (q) A license may be suspended or revoked for a violation  
21 of any of the requirements of this section.



1           **§134-G Disposal of electric gun.** A person who is not a  
2 licensee pursuant to section 134-E may sell or otherwise  
3 transfer an electric gun or cartridge to a licensee or may  
4 surrender the electric gun or cartridge to the chief of police  
5 of the appropriate county or the chief's designee. The chief of  
6 police may either destroy the electric gun or cartridge, or  
7 utilize the electric gun or cartridge for educational purposes.  
8 The chief of police shall maintain records of all surrendered  
9 electric guns and cartridges, including their disposition.

10           **§134-H Ownership, possession, or control prohibited.** (a)  
11 No person who is a fugitive from justice shall own, possess, or  
12 control an electric gun.

13           (b) No person who is under indictment, has waived  
14 indictment, has been bound over to the circuit court for, or has  
15 been convicted in this State or elsewhere of having committed a  
16 felony, crime of violence, or illegal sale of any drug shall  
17 own, possess, or control an electric gun.

18           (c) No person who:  
19           (1) Is or has been under treatment or counseling for  
20           addiction to, abuse of, or dependence upon any  
21           dangerous drugs, harmful drug, detrimental drug,





1           intoxicating compounds, or intoxicating liquor, as  
2           defined in section 712-1240;

3           (2) Has been acquitted of a crime on the grounds of mental  
4           disease, disorder, or defect pursuant to section  
5           704-411;

6           (3) Is or has been diagnosed as having a significant  
7           behavioral, emotional, or mental disorder as defined  
8           by the most current diagnostic and statistical manual  
9           of mental disorders published by the American  
10          Psychiatric Association; or

11          (4) Is or has been treated for organic brain syndrome;  
12 shall own, possess, or control an electric gun, unless the  
13 person has been medically documented to be no longer adversely  
14 affected by the addiction, abuse, dependence, mental disease,  
15 disorder, or defect.

16          (d) No person who is less than twenty-five years of age  
17 and has been adjudicated by the family court to have committed a  
18 felony, two or more crimes of violence, or an illegal sale of  
19 any drug shall own, possess, or control an electric gun.

20          (e) No person who is less than twenty-one years of age  
21 shall own, possess, or control an electric gun.



1 (f) No person shall possess an electric gun that is owned  
2 by another, regardless of whether the owner has consented to  
3 possession of the electric gun.

4 (g) No person who has been restrained pursuant to an order  
5 of any court from contacting, threatening, or physically abusing  
6 any person or from possessing or owning a firearm, shall  
7 possess, control, or transfer ownership of an electric gun, so  
8 long as the protective order or restraining order, including any  
9 extension, is in effect, unless the order, for good cause shown,  
10 specifically permits the possession, control, or transfer of an  
11 electric gun. The protective order or restraining order shall  
12 specifically include a statement that possession, control, or  
13 transfer of an electric gun by the person named in the order is  
14 prohibited. The person shall relinquish possession and control  
15 of any electric gun owned by that person to the police  
16 department of the appropriate county for safekeeping for the  
17 duration of the order or extension thereof.

18 In the case of an ex parte order that includes a  
19 restriction on the possession, control, or transfer of an  
20 electric gun, the affidavit or statement under oath that forms  
21 the basis for the order shall contain a statement of the facts



1 that support a finding that the person to be restrained owns,  
2 intends to obtain or transfer, or possesses an electric gun, and  
3 that the electric gun may be used to threaten, injure, or abuse  
4 any person. The ex parte order shall be effective upon service  
5 pursuant to section 586-6.

6 At the time of service of a protective order or restraining  
7 order involving electric guns issued by any court, the police  
8 officer may take custody of any and all electric guns in plain  
9 sight, any electric guns discovered pursuant to a consensual  
10 search, and any electric guns surrendered by the person  
11 restrained.

12 For the purposes of this subsection, good cause shall not  
13 be based solely upon a consideration that the person subject to  
14 restraint pursuant to a court order, including an ex parte order  
15 as provided for in this subsection, is required to possess or  
16 carry an electric gun during the course of the person's  
17 employment. Good cause may include but need not be limited to  
18 the protection and safety of the person to whom a restraining  
19 order is granted.

20 (h) Any person disqualified from ownership, possession,  
21 control, or the right to transfer ownership of an electric gun



1 under this section shall surrender or dispose of all electric  
2 guns in compliance with section 134-G.

3 (i) For the purposes of enforcing this section, and  
4 notwithstanding section 571-84 or any other law to the contrary,  
5 any agency within the State shall make its records relating to  
6 family court adjudications available to law enforcement  
7 officials.

8 (j) Any person violating subsection (a) or (b) shall be  
9 guilty of a class C felony. Any person violating subsection  
10 (c), (d), (e), (f), (g), or (h) shall be guilty of a  
11 misdemeanor.

12 §134-I Exemptions. (a) Sections 134-B, 134-C, 134-D, and  
13 134-H(f) shall not apply to:

14 (1) Law enforcement agencies and law enforcement officers  
15 acting within the course of their employment; and

16 (2) The army or air national guard and its members when  
17 they are assisting civil authorities in disaster  
18 relief, emergency management, or law enforcement  
19 functions, subject to the requirements of section  
20 121-34.5;



1 provided that the electric guns shall be acquired by the law  
2 enforcement agencies or the army or air national guard and not  
3 individual law enforcement officers or members of the army or  
4 air national guard, and shall remain in the custody and control  
5 of the applicable law enforcement agency, or the army or air  
6 national guard.

7 (b) Law enforcement agencies that authorize the use of  
8 electric guns by their law enforcement officers and the army or  
9 air national guard shall:

- 10 (1) Provide training in the use of electric guns from the  
11 manufacturer or a manufacturer-approved training  
12 program, using manufacturer-certified or manufacturer-  
13 approved instructors, prior to deployment of the  
14 electric guns and related equipment in public;
- 15 (2) Maintain records regarding every electric gun in their  
16 custody and control, including every instance of use  
17 of each electric gun, in a similar manner as records  
18 are maintained for the discharge of firearms; and
- 19 (3) Report to the legislature on the information in, and  
20 maintenance of, these records no later than twenty  
21 days prior to the convening of each regular session.



1 (c) The licensing requirement of sections 134-B(b) and  
2 134-E shall not apply to the sale of electric guns and  
3 cartridges by electric gun manufacturers distributing directly  
4 to law enforcement agencies, or the army or air national guard.

5 **§134-J Storage of electric gun; responsibility with**  
6 **respect to minors.** (a) No person shall store or keep any  
7 electric gun on any premises under the person's control if the  
8 person knows or reasonably should know that a minor is likely to  
9 gain access to the electric gun, unless the person:

10 (1) Keeps the electric gun in a securely locked box or  
11 other container or in a location that a reasonable  
12 person would believe to be secure; or

13 (2) Carries the electric gun on the person or within such  
14 close proximity thereto that the minor cannot gain  
15 access or control of the electric gun.

16 (b) Any person violating this section shall be guilty of a  
17 misdemeanor.

18 **§134-K Carrying or use of electric gun in the commission**  
19 **of a separate misdemeanor.** (a) It shall be unlawful for a  
20 person to knowingly carry on the person, have within the  
21 person's immediate control, or intentionally use or threaten to



1 use an electric gun, whether operable or not, while engaged in  
2 the commission of a separate misdemeanor; provided that a person  
3 shall not be prosecuted under this subsection when the separate  
4 misdemeanor is a misdemeanor defined by this chapter.

5 (b) A conviction and sentence under this section shall be  
6 in addition to and not in lieu of any conviction and sentence  
7 for the separate misdemeanor; provided that the sentence imposed  
8 under this section may run concurrently or consecutively with  
9 the sentence for the separate misdemeanor.

10 (c) Any person violating this section shall be guilty of a  
11 class C felony.

12 **§134-L Carrying or using an electric gun in the commission**  
13 **of a separate felony.** (a) It shall be unlawful for a person to  
14 knowingly carry on the person, have within the person's  
15 immediate control, or intentionally use or threaten to use an  
16 electric gun, whether operable or not, while engaged in the  
17 commission of a separate felony; provided that a person shall  
18 not be prosecuted under this subsection when the separate felony  
19 is a felony defined by this chapter.

20 (b) A conviction and sentence under this section shall be  
21 in addition to and not in lieu of any conviction and sentence



1 for the separate felony; provided that the sentence imposed  
2 under this section may run concurrently or consecutively with  
3 the sentence for the separate felony.

4 (c) Any person violating this section shall be guilty of a  
5 class B felony."

6 SECTION 3. Section 121-34.5, Hawaii Revised Statutes, is  
7 amended to read as follows:

8 "§121-34.5 Use of electric guns. Members of the army or  
9 air national guard who have been qualified by training and are  
10 authorized by their commanders may use electric guns, as  
11 specifically provided in section [~~134-16(e) and (d)~~], 134-I,  
12 when assisting civil authorities in disaster relief, emergency  
13 management, or law enforcement functions; provided that  
14 "training" for the purposes of this section means a course of  
15 instruction or training in the use of any electric gun  
16 authorized pursuant to this section, that is provided or  
17 authorized by the manufacturer or is manufacturer-approved or is  
18 an electric gun training program approved by the army or air  
19 national guard, prior to deployment or issuance of electric guns  
20 and related equipment."





1 SECTION 4. Section 134-1, Hawaii Revised Statutes, is  
2 amended by deleting the definition of "electric gun":

3 [~~"Electric gun" means any portable device that is~~  
4 ~~electrically operated to project a missile or electromotive~~  
5 ~~force. It does not include any electric livestock prod used in~~  
6 ~~animal husbandry and any automatic external defibrillator used~~  
7 ~~in emergency medical situations."]~~

8 SECTION 5. Section 134-3.5, Hawaii Revised Statutes, is  
9 amended to read as follows:

10 "[+]§134-3.5[+] **Disclosure for firearm or electric gun**  
11 **permit and registration purposes.** A health care provider or  
12 public health authority shall disclose health information,  
13 including protected health care information, relating to an  
14 individual's mental health history, to the appropriate county  
15 chief of police in response to a request for the information  
16 from the chief of police; provided that:

17 (1) The information shall be used only for the purpose of  
18 evaluating the individual's fitness to acquire or own  
19 a firearm[+] or electric gun; and

20 (2) The individual has signed a waiver permitting release  
21 of the health information for that purpose."



1 SECTION 6. Section 134-17, Hawaii Revised Statutes, is  
2 amended by amending subsection (c) to read as follows:

3 "(c) Any person who violates section 134-2, 134-4, 134-10,  
4 or 134-15 [~~, or 134-16(a)~~] shall be guilty of a misdemeanor. Any  
5 person who violates section 134-3(b) shall be guilty of a petty  
6 misdemeanor and the firearm shall be confiscated as contraband  
7 and disposed of, if the firearm is not registered within five  
8 days of the person receiving notice of the violation."

9 SECTION 7. Section 266-24, Hawaii Revised Statutes, is  
10 amended by amending subsection (a) to read as follows:

11 "(a) The director of transportation shall enforce this  
12 chapter and all rules thereunder, except for the rules relative  
13 to the control and management of the beaches encumbered with  
14 easements in favor of the public and ocean waters, which shall  
15 be enforced by the department of land and natural resources.  
16 For the purpose of the enforcement of this chapter and of all  
17 rules adopted pursuant to this chapter, the powers of police  
18 officers are conferred upon the director of transportation and  
19 any officer, employee, or representative of the department of  
20 transportation. Without limiting the generality of the  
21 foregoing, the director and any person appointed by the director



1 hereunder may serve and execute warrants, arrest offenders, and  
2 serve notices and orders. The director of transportation and  
3 any employee, agent, or representative of the department of  
4 transportation appointed as enforcement officers by the  
5 director, and every state and county officer charged with the  
6 enforcement of any law, statute, rule, regulation, ordinance, or  
7 order, shall enforce and assist in the enforcement of this  
8 chapter and of all rules and orders issued pursuant thereto, and  
9 in carrying out the responsibilities hereunder, each shall be  
10 specifically authorized to:

- 11 (1) Conduct any enforcement action hereunder in any  
12 commercial harbor area and any area over which the  
13 department of transportation and the director of  
14 transportation has jurisdiction under this chapter;
- 15 (2) Inspect and examine at reasonable hours any premises,  
16 and the buildings and other structures thereon, where  
17 harbors or harbor facilities are situated, or where  
18 harbor-related activities are operated or conducted;  
19 and
- 20 (3) Subject to limitations as may be imposed by the  
21 director of transportation, serve and execute



1 warrants, arrest offenders, and serve notices and  
2 orders.

3 Any employee appointed as a law enforcement officer by the  
4 director of transportation pursuant to this section who has been  
5 qualified by training may use electric guns, as specifically  
6 provided in section [~~134-16,~~] 134-I, when exercising powers of  
7 police officers and carrying out the responsibilities described  
8 herein; provided that training for the purposes of this section  
9 means a course of instruction or training in the use of any  
10 electric gun that is provided, authorized, or approved by the  
11 manufacturer of the electric gun prior to deployment or issuance  
12 of electric guns and related equipment.

13 For purposes of this subsection, the term "agents and  
14 representatives" includes persons performing services at harbors  
15 or harbor areas under contract with the department of  
16 transportation."

17 SECTION 8. Section 463-10.5, Hawaii Revised Statutes, is  
18 amended by amending subsection (e) to read as follows:

19 "(e) Before beginning employment as a guard or in a guard  
20 capacity, in addition to the classroom instruction required by  
21 this section, guards and individuals acting in a guard capacity



1 who carry a firearm or other weapon, including but not limited  
2 to an electric gun as defined in section [~~134-17~~] 134-A, while  
3 on-duty in a guard capacity shall possess a valid permit to  
4 acquire the ownership of a firearm issued by county police  
5 pursuant to section 134-2 and shall satisfy the requirements of  
6 section 134-2(g)."

7 SECTION 9. Section 846-2.7, Hawaii Revised Statutes, is  
8 amended by amending subsection (b) to read as follows:

9 "(b) Criminal history record checks may be conducted by:

- 10 (1) The department of health or its designee on operators  
11 of adult foster homes for individuals with  
12 developmental disabilities or developmental  
13 disabilities domiciliary homes and their employees, as  
14 provided by section 321-15.2;
- 15 (2) The department of health or its designee on  
16 prospective employees, persons seeking to serve as  
17 providers, or subcontractors in positions that place  
18 them in direct contact with clients when providing  
19 non-witnessed direct mental health or health care  
20 services as provided by section 321-171.5;



- 1           (3) The department of health or its designee on all  
2           applicants for licensure or certification for,  
3           operators for, prospective employees, adult  
4           volunteers, and all adults, except adults in care, at  
5           healthcare facilities as defined in section 321-15.2;
- 6           (4) The department of education on employees, prospective  
7           employees, and teacher trainees in any public school  
8           in positions that necessitate close proximity to  
9           children as provided by section 302A-601.5;
- 10          (5) The counties on employees and prospective employees  
11          who may be in positions that place them in close  
12          proximity to children in recreation or child care  
13          programs and services;
- 14          (6) The county liquor commissions on applicants for liquor  
15          licenses as provided by section 281-53.5;
- 16          (7) The county liquor commissions on employees and  
17          prospective employees involved in liquor  
18          administration, law enforcement, and liquor control  
19          investigations;
- 20          (8) The department of human services on operators and  
21          employees of child caring institutions, child placing



- 1 organizations, and foster boarding homes as provided  
2 by section 346-17;
- 3 (9) The department of human services on prospective  
4 adoptive parents as established under section  
5 346-19.7;
- 6 (10) The department of human services or its designee on  
7 applicants to operate child care facilities, household  
8 members of the applicant, prospective employees of the  
9 applicant, and new employees and household members of  
10 the provider after registration or licensure as  
11 provided by section 346-154, and persons subject to  
12 section 346-152.5;
- 13 (11) The department of human services on persons exempt  
14 pursuant to section 346-152 to be eligible to provide  
15 child care and receive child care subsidies as  
16 provided by section 346-152.5;
- 17 (12) The department of health on operators and employees of  
18 home and community-based case management agencies and  
19 operators and other adults, except for adults in care,  
20 residing in community care foster family homes as  
21 provided by section 321-15.2;



- 1 (13) The department of human services on staff members of  
2 the Hawaii youth correctional facility as provided by  
3 section 352-5.5;
- 4 (14) The department of human services on employees,  
5 prospective employees, and volunteers of contracted  
6 providers and subcontractors in positions that place  
7 them in close proximity to youth when providing  
8 services on behalf of the office or the Hawaii youth  
9 correctional facility as provided by section 352D-4.3;
- 10 (15) The judiciary on employees and applicants at detention  
11 and shelter facilities as provided by section 571-34;
- 12 (16) The department of public safety on employees and  
13 prospective employees who are directly involved with  
14 the treatment and care of persons committed to a  
15 correctional facility or who possess police powers  
16 including the power of arrest as provided by section  
17 353C-5;
- 18 (17) The board of private detectives and guards on  
19 applicants for private detective or private guard  
20 licensure as provided by section 463-9;





- 1           (18) Private schools and designated organizations on  
2           employees and prospective employees who may be in  
3           positions that necessitate close proximity to  
4           children; provided that private schools and designated  
5           organizations receive only indications of the states  
6           from which the national criminal history record  
7           information was provided pursuant to section 302C-1;
- 8           (19) The public library system on employees and prospective  
9           employees whose positions place them in close  
10          proximity to children as provided by section  
11          302A-601.5;
- 12          (20) The State or any of its branches, political  
13          subdivisions, or agencies on applicants and employees  
14          holding a position that has the same type of contact  
15          with children, vulnerable adults, or persons committed  
16          to a correctional facility as other public employees  
17          who hold positions that are authorized by law to  
18          require criminal history record checks as a condition  
19          of employment as provided by section 78-2.7;
- 20          (21) The department of health on licensed adult day care  
21          center operators, employees, new employees,



1 subcontracted service providers and their employees,  
2 and adult volunteers as provided by section 321-15.2;  
3 (22) The department of human services on purchase of  
4 service contracted and subcontracted service providers  
5 and their employees serving clients of the adult  
6 protective and community services branch, as provided  
7 by section 346-97;  
8 (23) The department of human services on foster grandparent  
9 program, senior companion program, and respite  
10 companion program participants as provided by section  
11 346-97;  
12 (24) The department of human services on contracted and  
13 subcontracted service providers and their current and  
14 prospective employees that provide home and community-  
15 based services under section 1915(c) of the Social  
16 Security Act, title 42 United States Code section  
17 1396n(c), or under any other applicable section or  
18 sections of the Social Security Act for the purposes  
19 of providing home and community-based services, as  
20 provided by section 346-97;



- 1           (25) The department of commerce and consumer affairs on  
2           proposed directors and executive officers of a bank,  
3           savings bank, savings and loan association, trust  
4           company, and depository financial services loan  
5           company as provided by section 412:3-201;
- 6           (26) The department of commerce and consumer affairs on  
7           proposed directors and executive officers of a  
8           nondepository financial services loan company as  
9           provided by section 412:3-301;
- 10          (27) The department of commerce and consumer affairs on the  
11          original chartering applicants and proposed executive  
12          officers of a credit union as provided by section  
13          412:10-103;
- 14          (28) The department of commerce and consumer affairs on:
- 15               (A) Each principal of every non-corporate applicant  
16               for a money transmitter license;
- 17               (B) Each person who upon approval of an application  
18               by a corporate applicant for a money transmitter  
19               license will be a principal of the licensee; and
- 20               (C) Each person who upon approval of an application  
21               requesting approval of a proposed change in



1 control of licensee will be a principal of the  
2 licensee,

3 as provided by sections 489D-9 and 489D-15;

4 (29) The department of commerce and consumer affairs on  
5 applicants for licensure and persons licensed under  
6 title 24;

7 (30) The Hawaii health systems corporation on:

8 (A) Employees;

9 (B) Applicants seeking employment;

10 (C) Current or prospective members of the corporation  
11 board or regional system board; or

12 (D) Current or prospective volunteers, providers, or  
13 contractors,

14 in any of the corporation's health facilities as  
15 provided by section 323F-5.5;

16 (31) The department of commerce and consumer affairs on:

17 (A) An applicant for a mortgage loan originator  
18 license, or license renewal; and

19 (B) Each control person, executive officer, director,  
20 general partner, and managing member of an



- 1 applicant for a mortgage loan originator company  
2 license or license renewal,  
3 as provided by chapter 454F;
- 4 (32) The state public charter school commission or public  
5 charter schools on employees, teacher trainees,  
6 prospective employees, and prospective teacher  
7 trainees in any public charter school for any position  
8 that places them in close proximity to children, as  
9 provided in section 302D-33;
- 10 (33) The counties on prospective employees who work with  
11 children, vulnerable adults, or senior citizens in  
12 community-based programs;
- 13 (34) The counties on prospective employees for fire  
14 department positions [~~which~~] that involve contact with  
15 children or vulnerable adults;
- 16 (35) The counties on prospective employees for emergency  
17 medical services positions [~~which~~] that involve  
18 contact with children or vulnerable adults;
- 19 (36) The counties on prospective employees for emergency  
20 management positions and community volunteers whose  
21 responsibilities involve planning and executing



1           homeland security measures including viewing,  
2           handling, and engaging in law enforcement or  
3           classified meetings and assisting vulnerable citizens  
4           during emergencies or crises;

5           (37) The State and counties on employees, prospective  
6           employees, volunteers, and contractors whose position  
7           responsibilities require unescorted access to secured  
8           areas and equipment related to a traffic management  
9           center;

10          (38) The State and counties on employees and prospective  
11          employees whose positions involve the handling or use  
12          of firearms for other than law enforcement purposes;

13          (39) The State and counties on current and prospective  
14          systems analysts and others involved in an agency's  
15          information technology operation whose position  
16          responsibilities provide them with access to  
17          proprietary, confidential, or sensitive information;

18          (40) The department of commerce and consumer affairs on:  
19                (A) Applicants for real estate appraiser licensure or  
20                certification as provided by chapter 466K;



- 1 (B) Each person who owns more than ten per cent of an  
2 appraisal management company who is applying for  
3 registration as an appraisal management company,  
4 as provided by section 466L-7; and
- 5 (C) Each of the controlling persons of an applicant  
6 for registration as an appraisal management  
7 company, as provided by section 466L-7;
- 8 (41) The department of health or its designee on all  
9 license applicants, licensees, employees, contractors,  
10 and prospective employees of medical cannabis  
11 dispensaries, and individuals permitted to enter and  
12 remain in medical cannabis dispensary facilities as  
13 provided under sections 329D-15(a)(4) and  
14 329D-16(a)(3);
- 15 (42) The department of commerce and consumer affairs on  
16 applicants for nurse licensure or license renewal,  
17 reactivation, or restoration as provided by sections  
18 457-7, 457-8, 457-8.5, and 457-9;
- 19 (43) The county police departments on applicants for  
20 permits to acquire firearms pursuant to section 134-2  
21 and electric projectile guns pursuant to section 134-C



1 and on individuals registering their firearms pursuant  
2 to section 134-3[+] and electric guns pursuant to  
3 section 134-D;

4 (44) The department of commerce and consumer affairs on:

5 (A) Each of the controlling persons of the applicant  
6 for licensure as an escrow depository, and each  
7 of the officers, directors, and principals who  
8 will be in charge of the escrow depository's  
9 activities upon licensure; and

10 (B) Each of the controlling persons of an applicant  
11 for proposed change in control of an escrow  
12 depository licensee, and each of the officers,  
13 directors, and principals who will be in charge  
14 of the licensee's activities upon approval of  
15 such application,

16 as provided by chapter 449;

17 (45) The department of taxation on current or prospective  
18 employees or contractors who have access to federal  
19 tax information in order to comply with requirements  
20 of federal law, regulation, or procedure, as provided  
21 by section 231-1.6;





- 1           (46) The department of labor and industrial relations on  
2           current or prospective employees or contractors who  
3           have access to federal tax information in order to  
4           comply with requirements of federal law, regulation,  
5           or procedure, as provided by section 383-110;
- 6           (47) The department of human services on current or  
7           prospective employees or contractors who have access  
8           to federal tax information in order to comply with  
9           requirements of federal law, regulation, or procedure,  
10          as provided by section 346-2.5;
- 11          (48) The child support enforcement agency on current or  
12          prospective employees, or contractors who have access  
13          to federal tax information in order to comply with  
14          federal law, regulation, or procedure, as provided by  
15          section 576D-11.5; and
- 16          (49) Any other organization, entity, or the State, its  
17          branches, political subdivisions, or agencies as may  
18          be authorized by state law."

19           SECTION 10. Section 134-16, Hawaii Revised Statutes, is  
20 repealed.



1       ~~["§134-16 Restriction on possession, sale, gift, or~~  
2 ~~delivery of electric guns. (a) It shall be unlawful for any~~  
3 ~~person, including a licensed manufacturer, licensed importer, or~~  
4 ~~licensed dealer, to possess, offer for sale, hold for sale,~~  
5 ~~sell, give, lend, or deliver any electric gun.~~

6       ~~(b) Any electric gun possessed, offered for sale, held for~~  
7 ~~sale, sold, given, lent, or delivered in violation of subsection~~  
8 ~~(a) shall be confiscated and disposed of by the chief of police.~~

9       ~~(c) This section shall not apply to:~~

10       ~~(1) Law enforcement officers of county police departments;~~

11       ~~(2) Law enforcement officers of the department of public~~  
12 ~~safety;~~

13       ~~(3) Conservation and resources enforcement officers of the~~  
14 ~~department of land and natural resources;~~

15       ~~(4) Members of the Army or Air National Guard when~~  
16 ~~assisting civil authorities in disaster relief,~~  
17 ~~emergency management, or law enforcement functions,~~  
18 ~~subject to the requirements of section 121-34.5;~~

19       ~~(5) Law enforcement officers appointed by the director of~~  
20 ~~transportation pursuant to section 266-24; and~~



1       ~~(6) Vendors providing electric guns to the individuals~~  
2               ~~described in paragraphs (1) through (5),~~  
3 ~~provided that electric guns shall at all times remain in the~~  
4 ~~custody and control of the law enforcement officers of the~~  
5 ~~county police departments, the law enforcement officers of the~~  
6 ~~department of public safety, the conservation and resources~~  
7 ~~enforcement officers of the department of land and natural~~  
8 ~~resources, the members of the Army or Air National Guard, or law~~  
9 ~~enforcement officers appointed by the director of~~  
10 ~~transportation.~~

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



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

3 ~~(e) The department of land and natural resources, the~~  
4 ~~department of public safety, and the department of~~  
5 ~~transportation shall ensure that each of its conservation and~~  
6 ~~resources enforcement officers and law enforcement officers who~~  
7 ~~is authorized to use an electric gun and related equipment shall~~  
8 ~~first receive training from the manufacturer or from a~~  
9 ~~manufacturer approved training program, as well as by~~  
10 ~~manufacturer certified or approved instructors in the use of~~  
11 ~~electric guns prior to deployment of the electric guns and~~  
12 ~~related equipment in public. Training for conservation and~~  
13 ~~resources enforcement officers of the department of land and~~  
14 ~~natural resources, law enforcement officers of the department of~~  
15 ~~public safety, and law enforcement officers of the department of~~  
16 ~~transportation may be done concurrently to ensure cost savings.~~

17 ~~(f) No later than June 30, 2018, the conservation and~~  
18 ~~resources enforcement program of the department of land and~~  
19 ~~natural resources shall meet the law enforcement accreditation~~  
20 ~~or recognition standards of the Commission on Accreditation for~~  
21 ~~Law Enforcement Agencies, Inc., in the use of electric guns.~~



1       ~~(g) No later than June 30, 2024, the law enforcement~~  
2 ~~officers appointed by the director of transportation shall meet~~  
3 ~~the law enforcement accreditation or recognition standards of~~  
4 ~~the Commission on Accreditation for Law Enforcement Agencies,~~  
5 ~~Inc., in the use of electric guns."]~~

6       SECTION 11. This Act does not affect rights and duties  
7 that matured, penalties that were incurred, and proceedings that  
8 were begun, before the effective date of this Act.

9       SECTION 12. In codifying the new sections added by section  
10 2 of this Act, the revisor of statutes shall substitute  
11 appropriate section numbers for the letters used in designating  
12 the new sections in this Act.

13       SECTION 13. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

15       SECTION 14. This Act shall take effect upon its approval.



**Report Title:**

Electric Guns; Electric Projectile Guns; Permit; Registration

**Description:**

Repeals the existing law that bans electric guns, and replaces it with a law that restricts the ownership, use, storage, and disposal of electric guns, regulates the sale, distribution, and transfer of electric guns, requires training and education on electric guns, prohibits certain individuals from the possession and use of electric guns, and prohibits the carrying or use of electric guns in the commission of crimes. Establishes permitting requirement to acquire electric projectile guns and registration requirements. Effective upon approval. (Proposed SD2)

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

