

Honolulu, Hawaii

FEB 28 , 2020

RE: H.B. No. 2292
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2292, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ELECTRIC GUNS,"

begs leave to report as follows:

The purpose of this measure is to adjust the laws on electric guns by:

- (1) Regulating the sale and use of electric guns, including:
 - (A) Restricting ownership, use, storage, and disposal of electric guns;
 - (B) Regulating the sale, distribution, and transfer of electric guns; and
 - (C) Prohibiting certain possession, use, and carrying of electric guns; and
- (2) Repealing the ban on the possession, sale, or delivery of electric guns.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Transportation, Honolulu Police Department, and two individuals.



Your Committee received testimony in opposition to this measure from the Hawaii Firearms Coalition and numerous individuals.

Your Committee finds that the Supreme Court of the United States held that the reasons proffered by the Supreme Judicial Court of Massachusetts for excluding stun guns from the purview of the Second Amendment of the United States Constitution were inconsistent with legal precedent. *Caetano v. Massachusetts*, 136 S.Ct. 1027, 1028 (2016). Your Committee further finds that the *Caetano* decision calls into question the constitutionality of the State's ban on electric guns. In the event it is determined that the State's ban on electric guns is unconstitutional, this measure would provide a framework to regulate electric guns.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2292, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,


CHRIS LEE, Chair



