

JAN 21 2022

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 it is imperative to
2 protect the health and safety of the public by regulating where
3 electric guns may be carried. Certain sensitive locations where
4 electric guns should be regulated include schools, government
5 buildings, and places where open meetings take place. Many
6 states and federal agencies have enacted similar legislation and
7 regulations to place location restrictions on electric guns.

8 The legislature further finds that to address the effect of
9 a court ruling on the ban of electric guns in Hawaii, Act 183,
10 Sessions Laws of Hawaii 2021 (Act 183), repealed the prohibition
11 on electric guns while ensuring public safety. Act 183 provided
12 for regulations and rules on the use, storage, transfer,
13 disposal, and purchase of electric guns and electric projectile
14 guns. Location restrictions are additionally necessary to
15 protect public health and safety.



1 The purpose of this Act is to prohibit individuals from
2 carrying an electric gun in or near certain sensitive locations,
3 with exceptions.

4 SECTION 2. Chapter 134, Hawaii Revised Statutes, is
5 amended by adding a new section to part V to be appropriately
6 designated and to read as follows:

7 "§134- Location restrictions for electric guns. (a) It
8 shall be unlawful for any person to carry or possesses an
9 electric gun in or near an airport, passenger transportation
10 terminal, commuter operations area, state or county government
11 building, or any meeting place required to be open to the public
12 pursuant to chapter 92; provided that the following shall be
13 exempt:

14 (1) Any person who possesses weapons in or transports
15 weapons into a court of law to be used as evidence;
16 provided that a person is not exempt if they are a
17 party to an action pending before the court;

18 (2) A full time paid peace officer of another state or the
19 federal government who is carrying out official duties
20 while in the State or any person summoned by the peace
21 officer to assist in making arrests or preserving the



- 1 peace while that person is engaged in assisting the
2 peace officer;
- 3 (3) A person who has permission to possess an electric gun
4 in writing by a duly authorized official who is
5 charged with the security of a state or county
6 government building;
- 7 (4) A person who lawfully resides in, owns, or is in
8 possession of a state or county government building
9 with respect to those portions of the building that
10 are not owned or leased by the state or county
11 government;
- 12 (5) A person licensed or registered in accordance with,
13 and acting within the course and scope of chapter 463,
14 and who has been hired by the owner of a state or
15 county government building; and
- 16 (6) Any person or agency exempt pursuant to section
17 134-87.
- 18 (b) Any person violating this section shall be guilty of a
19 misdemeanor."



1 SECTION 3. Section 134-87, Hawaii Revised Statutes, is
2 amended by amending its title and subsection (a) to read as
3 follows:

4 "[~~f~~] §134-87 [~~f~~] Exemptions. (a) Sections 134-82 [~~and~~],
5 134-86(f), and 134- shall not apply to:

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

8 (2) The Army or Air National Guard and its members when
9 they are assisting civil authorities in disaster
10 relief, emergency management, or law enforcement
11 functions, subject to the requirements of section
12 121-34.5;

13 provided that the electric guns shall be acquired by the law
14 enforcement agencies or the Army or Air National Guard and not
15 individual law enforcement officers or members of the Army or
16 Air National Guard, and shall remain in the custody and control
17 of law enforcement agencies or the Army or Air National Guard."

18 SECTION 4. This Act does not affect rights and duties that
19 matured, penalties that were incurred, and proceedings that were
20 begun before its effective date.



1 SECTION 5. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY: Kal Rhoad



S.B. NO. 2738

Report Title:

Electric Guns; Possession; Location; Prohibition

Description:

Prohibits individuals from carrying an electric gun in or near certain sensitive locations with exceptions.

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

