

JAN 18 2023

A BILL FOR AN ACT

RELATING TO PROHIBITION OF FIREARMS ON SCHOOL PROPERTY.

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 part I to be appropriately
3 designated and to read as follows:

4 "§134- Possession of a firearm; school property, school
5 bus, school-sponsored function; exceptions; penalty. (a) It
6 shall be unlawful for any person to carry on their person or to
7 possess any firearm:

8 (1) On any school property;

9 (2) On any school bus; or

10 (3) At any school-sponsored function being held at a

11 location that is owned, rented, or leased by the board

12 of education, superintendent of education, department

13 of education, or school for the duration of the

14 function.

15 (b) This section shall not apply to:

16 (1) A law enforcement officer employed by a federal,

17 State, or county law enforcement agency; or



1 (2) A person who serves as an instructor or is a
2 participant in an educational or training program
3 that:
4 (A) Is established, sanctioned, or approved by the
5 board of education, superintendent of education,
6 or department of education;
7 (B) Is held on the school property; and
8 (C) Includes a course of instruction or training that
9 requires the instructor or participant to carry
10 or possess a firearm on the school property or at
11 the school-sponsored function;
12 provided that the exception under this paragraph shall
13 apply only on days on which the person is instructing
14 or participating in a course or training described in
15 subparagraph (c).
16 (c) Any person violating this section shall be guilty of a
17 class B felony.
18 (d) Any child enrolled in a school and found to be in
19 violation of this section shall be excluded from school
20 attendance for not less than one year pursuant to the procedures
21 in section 302A-1134 (b) .



1 (e) As used in this section,
2 "School" means any public or private preschool,
3 kindergarten, elementary, intermediate, middle, secondary, or
4 high school, including any special school for children, in the
5 State.

6 "School bus" means any passenger transportation vehicle
7 provided for children by the department of education pursuant to
8 section 302A-406.

9 "School property" includes any school building, facility,
10 or ground.

11 "School-sponsored function" means any activity or function
12 that is approved by the school principal or supervised by the
13 department of education."

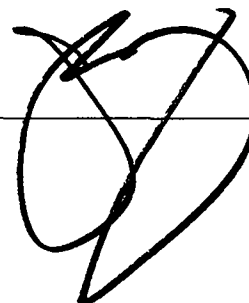
14 SECTION 2. This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that were
16 begun before its effective date.

17 SECTION 3. New statutory material is underscored.

18 SECTION 4. This Act shall take effect upon its approval.

19

INTRODUCED BY: _____

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S.B. NO. 124

Report Title:

Firearms; Prohibition; School Property; School Buses; School-Sponsored Functions

Description:

Prohibits the possession of firearms on school property and school buses and at school-sponsored functions. Exempts certain law enforcement officers and instructors and participants of certain educational or training programs. Establishes that violators are guilty of a class B felony. Requires children enrolled in school who are in violation to be excluded from school attendance for not less than one year. Defines school, school bus, school property, and school-sponsored function.

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

