

ACT 55

H. B. 263.

A Bill for an Act Making It a Felony to Bring in or Possess Alcohol, Harmful or Narcotic Drugs, or Firearms Within Any State Correctional Facility or City or County Jail.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 83 of the Revised Laws of Hawaii 1955, as amended, is amended by adding a new section, to be designated section 83-49 to read as follows:

“Section 83-49. Bringing into or having possession in any state correctional facility or a county or the city and county jail, alcohol, harmful drug, narcotic drug or firearm; prohibited.

a. Any person bringing into or having possession of any alcohol, harmful drug, narcotic drug in any amount, or firearm within or on the grounds of any state correctional facility or any county or the city and county jail, unless in the course of his duty or profession, without the permission of the superintendent of any state correctional facility or the officer in charge of any jail, shall be imprisoned for not more than five years. The provisions and penalty of section 52-12, Revised Laws of Hawaii 1955, as amended, shall prevail over the foregoing when applicable.

b. Definitions. When used in this section, unless context otherwise requires:

‘Alcohol’—means alcohol as defined in section 159-1, Revised Laws of Hawaii 1955, as amended.

'Firearm'—means firearm as defined in section 157-1, Revised Laws of Hawaii 1955.

'Harmful drug'—The harmful drugs referred to herein mean any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis: (1) hypnotic drugs which include acetylureas, barbituric acid, chloral, paraldehyde, phenythidantoin, sulfonated methane, and any salt derivative or compound of any substance, or any compounds or mixtures of preparations that may be used for producing hypnotic effects; (2) stimulant drugs derived from the amphetamine group and any salt, derivative or compound of any substance, or any compounds or mixtures of preparations that may be used as a stimulant; (3) any drug having a potential for abuse because of its depressant or stimulant effect on the central nervous system or its hallucinogenic effect as defined in the Federal Food, Drug and Cosmetic Act (52 Stat. 1040, as amended)."

SECTION 2. This Act shall take effect upon its approval.
(Approved May 11, 1967.)