

ACT 230

S.B. NO. 436

A Bill for an Act Relating to Amending Various Provisions of the Hawaii Revised Statutes to Correct References to Repealed Chapter 191, Hawaii Revised Statutes.

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

SECTION 1. Section 134-3, Hawaii Revised Statutes, is amended by amending subsection (g) to read as follows:

“(g) Each chief of police may issue permits, within the chief’s jurisdiction, to acquire firearms to citizens of the United States of the age of eighteen years or more, and to duly accredited official representatives of foreign nations. Each chief of police may also issue permits to aliens of the age of eighteen years or more for use of rifles and shotguns for a period not exceeding sixty days, after the alien has first procured a hunting license under sections [191-1 to 191-6,] 183D-21 to 183D-25, or may issue permits to acquire firearms to aliens who are duly commissioned law enforcement officers in the State. However, any law enforcement officer who is the owner of a firearm and who is an alien shall transfer ownership of the firearm within forty-eight hours after termination of employment from a law enforcement agency.”

SECTION 2. Section 134-4, Hawaii Revised Statutes, is amended to read as follows:

“§134-4 Transfer of rifles and shotguns. (a) No transfer of any rifle or shotgun having a barrel length of eighteen inches or over, whether usable or unusable, serviceable or unserviceable, modern or antique, registered under prior law or by a prior owner or unregistered, shall be made in any event to any person under the age of eighteen years, and no person under the age of

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eighteen years shall possess [any such] the rifle or shotgun, except as provided by section 134-5.

(b) It shall be unlawful for any person to own or possess [such] a rifle, unless the person is a citizen of the United States, or an alien who has procured a hunting license under sections [191-1 to 191-6] 183D-21 to 183D-25 and a firearms permit under section 134-3.

(c) Any person who violates this section shall be fined not more than \$500 or imprisoned not more than one year, or both."

SECTION 3. Section 134-5, Hawaii Revised Statutes, is amended to read as follows:

"§134-5 Possession by licensed hunters and minors; issuance of permits. (a) Any person of the age of sixteen years or over, or any person under the age of sixteen years while accompanied by an adult, may carry and use any lawfully acquired rifle or shotgun and suitable ammunition while actually engaged in hunting or target shooting, or while going to and from the place of hunting or target shooting, if the person has procured a hunting license under [section 191-1 to 191-5 and] sections 183D-21 to 183D-25; provided that minors shall also obtain a permit pursuant to subsection (b) and provided further that a hunting license shall not be required for persons engaging in target shooting.

(b) The chief of police of each county may issue permits to citizens of the United States who are minors, but such permits shall be limited to the sole purpose of carrying and using any rifle or shotgun as provided in subsection (a). This permit shall expire one year from the date of issuance and shall be valid in all counties.

(c) Any lawfully acquired firearm may be loaned to another, even though the other person is a minor, upon a target range or similar facility for a period not longer than to allow the other person to then and there use it for target shooting, without a permit."

SECTION 4. Section 150A-4, Hawaii Revised Statutes, is amended to read as follows:

"[~~§150A-4~~] Effect on department of land and natural resources and the department of health. Nothing in this chapter shall be construed to amend or alter the functions, duties, and powers of the department of land and natural resources and the department of health relative to chapters 171, [187, 191,] 183D, 187A, 197, 321, and 328."

SECTION 5. Section 711-1109.3, Hawaii Revised Statutes, is amended by amending subsection (2) to read as follows:

"(2) Nothing in this section shall prohibit any of the following:

- (a) The use of dogs in the management of livestock by the owner of the livestock or the owner's employees or agents or other persons in lawful custody thereof;
- (b) The use of dogs in hunting [on private lands permitted by section 191-18;] wildlife including game; or
- (c) The training of dogs or the use of equipment in the training of dogs for any purpose not prohibited by law."

SECTION 6. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 7. This Act shall take effect upon its approval.

(Approved June 23, 1987.)