
A BILL FOR AN ACT

RELATING TO THE HAWAII NATIONAL GUARD.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Last year, President Barack Obama selected
2 Honolulu as the site for the annual Asia-Pacific Economic
3 Cooperation Leaders Meeting in November 2011. The Asia-Pacific
4 Economic Cooperation is the premier forum for cooperation among
5 Asia-Pacific economies on trade and investment issues.

6 The annual Asia-Pacific Economic Cooperation gathering is
7 one of the world's largest intergovernmental meetings and is
8 attended by heads of state, cabinet ministers, the heads of the
9 World Bank and World Trade Organization, and other business
10 leaders. This will be the largest such gathering in Hawaii's
11 history.

12 Scheduled for the week beginning November 13, 2011, the
13 meetings will be very beneficial for Hawaii's economy, as they
14 are expected to draw more than ten thousand people to Honolulu
15 and will provide a boost to the State's struggling tourism
16 industry.

17 High profile events, such as the Asia-Pacific Economic
18 Cooperation meetings, carry many security concerns. With



1 security preparations already underway, it is in the State's
2 best interest to maximize its security resources.

3 The purpose of this Act is to authorize members of the army
4 and air national guard to use electric guns to support civil
5 authorities in disaster relief, civil defense, or law
6 enforcement functions.

7 SECTION 2. Chapter 121, Hawaii Revised Statutes, is
8 amended by adding a new section to be appropriately designated
9 and to read as follows:

10 "§121- Use of electric guns. Members of the army or air
11 national guard who have been qualified by training and are
12 authorized by their commanders may use electric guns, as
13 specifically provided in section 134-16(c) and (d), when
14 assisting civil authorities in disaster relief, civil defense,
15 or law enforcement functions; provided that "training" for the
16 purposes of this section means a course of instruction or
17 training in the use of any electric gun authorized pursuant to
18 this section, that is provided or authorized by the manufacturer
19 or is manufacturer-approved or is a electric gun training
20 program approved by the army or air national guard, prior to
21 deployment or issuance of electric guns and related equipment in
22 public."



1 SECTION 3. Section 134-16, Hawaii Revised Statutes, is
2 amended by amending subsections (c) and (d) to read as follows:

3 "(c) This section shall not apply to [~~law~~]:

4 (1) Law enforcement officers of county police
5 departments [~~and law~~];

6 (2) Law enforcement officers of the department of public
7 safety [~~and conservation~~];

8 (3) Conservation and resources enforcement officers of the
9 department of land and natural resources [~~and ex~~
10 venders];

11 (4) Members of the army or air national guard when
12 assisting civil authorities in disaster relief, civil
13 defense, or law enforcement functions; or

14 (5) Vendors providing electric guns to [~~these entities,~~
15 the individuals described in paragraphs (1) through
16 (4)];

17 provided that electric guns shall at all times remain in the
18 custody and control of the law enforcement officers of the
19 county police departments, the law enforcement officers of the
20 department of public safety, [~~and~~] the conservation and resources
21 enforcement officers of the department of land and natural
22 resources [~~and~~], or the members of the army or air national guard.



1 (d) The county police departments of this State, the
2 department of public safety, [~~and~~] the department of land and
3 natural resources, and the army and air national guard shall
4 maintain records regarding every electric gun in their custody
5 and control. The records shall report every instance of usage
6 of the electric guns; in particular, records shall be maintained
7 in a similar manner as for those of discharging of firearms.
8 The county police departments, the department of public safety,
9 [~~and~~] the department of land and natural resources, and the army
10 and air national guard shall annually report to the legislature
11 regarding these records no later than twenty days before the
12 beginning of each regular session of the legislature."

13 SECTION 4. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 5. This Act shall take effect on January 7, 2059.

16



Report Title:

National Guard; Non-Lethal Weapons; Electric Guns

Description:

Authorizes qualified members of the army and air national guard to use electric guns when assisting civil authorities in disaster relief, civil defense, or law enforcement functions. Effective January 7, 2059. (SD1)

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

