
A BILL FOR AN ACT

RELATING TO FIREARMS.

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

1 SECTION 1. The legislature finds that existing provisions
2 in the law are inadequate to deter persons with firearms from
3 trespassing on lands and potentially causing bodily injury to
4 others or damage to property, livestock, and crops. These
5 occurrences have been especially egregious on farms and ranches.

6 The purpose of this Act is to require those who wish to
7 access private land for hunting or other legitimate purposes to
8 obtain written permission from the landowner.

9 SECTION 2. Section 134-1, Hawaii Revised Statutes, is
10 amended by adding a new definition to be appropriately inserted
11 and to read as follows:

12 "Place of formal hunting" means an area on state or
13 federal land where hunting is permitted or an area on private
14 land only where the landowner has granted written permission to
15 an individual to use the land for hunting or target shooting."

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

18 1. By amending subsection (a) to read:



1 "(a) Any person of the age of sixteen years, or over or
2 any person under the age of sixteen years while accompanied by
3 an adult, may carry and use any lawfully acquired rifle or
4 shotgun and suitable ammunition while actually engaged in
5 hunting or target shooting at a place of formal hunting or while
6 going to and from the place of hunting or target shooting;
7 provided that the person has procured a hunting license under
8 chapter 183D, part II[-] and has obtained written permission
9 from the landowner of the privately owned land to hunt on that
10 land. A hunting license shall not be required for persons
11 engaged in target shooting."

12 2. By amending subsection (c) to read:

13 "(c) A person may carry unconcealed and use a lawfully
14 acquired pistol or revolver while actually engaged in hunting
15 game mammals[-] at a place of formal hunting if that pistol or
16 revolver and its suitable ammunition are acceptable for hunting
17 by rules adopted pursuant to section 183D-3 and if that person
18 is licensed pursuant to part II of chapter 183D[-] and has
19 obtained the written permission from the landowner of the
20 privately owned land to hunt on that land. The pistol or
21 revolver may be transported in an enclosed container, as defined



1 in section 134-25 in the course of going to and from the place
2 of the hunt, notwithstanding section 134-26."

3 SECTION 4. Section 134-23, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) Except as provided in section 134-5, all firearms
6 shall be confined to the possessor's place of business,
7 residence, or sojourn; provided that it shall be lawful to carry
8 unloaded firearms in an enclosed container from the place of
9 purchase to the purchaser's place of business, residence, or
10 sojourn, or between these places upon change of place of
11 business, residence, or sojourn, or between these places and the
12 following:

- 13 (1) A place of repair;
- 14 (2) A target range;
- 15 (3) A licensed dealer's place of business;
- 16 (4) An organized, scheduled firearms show or exhibit;
- 17 (5) A place of formal [~~hunter~~] hunting or firearm use
18 training or instruction; or
- 19 (6) A police station.

20 "Enclosed container" means a rigidly constructed
21 receptacle, [~~or~~] a commercially manufactured gun case, or the
22 equivalent thereof that completely encloses the firearm."



1 SECTION 5. Section 134-24, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Except as provided in section 134-5, all firearms
4 shall be confined to the possessor's place of business,
5 residence, or sojourn; provided that it shall be lawful to carry
6 unloaded firearms in an enclosed container from the place of
7 purchase to the purchaser's place of business, residence, or
8 sojourn, or between these places upon change of place of
9 business, residence, or sojourn, or between these places and the
10 following:

- 11 (1) A place of repair;
- 12 (2) A target range;
- 13 (3) A licensed dealer's place of business;
- 14 (4) An organized, scheduled firearms show or exhibit;
- 15 (5) A place of formal [~~hunter~~] hunting or firearm use
16 training or instruction; or
- 17 (6) A police station.

18 "Enclosed container" means a rigidly constructed
19 receptacle, [~~or~~] a commercially manufactured gun case, or the
20 equivalent thereof that completely encloses the firearm."

21 SECTION 6. Section 134-25, Hawaii Revised Statutes, is
22 amended by amending subsection (a) to read as follows:



1 "(a) Except as provided in sections 134-5 and 134-9, all
2 firearms shall be confined to the possessor's place of business,
3 residence, or sojourn; provided that it shall be lawful to carry
4 unloaded firearms in an enclosed container from the place of
5 purchase to the purchaser's place of business, residence, or
6 sojourn, or between these places upon change of place of
7 business, residence, or sojourn, or between these places and the
8 following:

- 9 (1) A place of repair;
- 10 (2) A target range;
- 11 (3) A licensed dealer's place of business;
- 12 (4) An organized, scheduled firearms show or exhibit;
- 13 (5) A place of formal [~~hunter~~] hunting or firearm use
14 training or instruction; or
- 15 (6) A police station.

16 "Enclosed container" means a rigidly constructed
17 receptacle, [~~or~~] a commercially manufactured gun case, or the
18 equivalent thereof that completely encloses the firearm."

19 SECTION 7. Section 134-27, Hawaii Revised Statutes, is
20 amended by amending subsection (a) to read as follows:

21 "(a) Except as provided in sections 134-5 and 134-9, all
22 ammunition shall be confined to the possessor's place of



1 business, residence, or sojourn; provided that it shall be
2 lawful to carry ammunition in an enclosed container from the
3 place of purchase to the purchaser's place of business,
4 residence, or sojourn, or between these places upon change of
5 place of business, residence, or sojourn, or between these
6 places and the following:

- 7 (1) A place of repair;
- 8 (2) A target range;
- 9 (3) A licensed dealer's place of business;
- 10 (4) An organized, scheduled firearms show or exhibit;
- 11 (5) A place of formal [~~hunter~~] hunting or firearm use
12 training or instruction; or
- 13 (6) A police station.

14 "Enclosed container" means a rigidly constructed
15 receptacle, [~~or~~] a commercially manufactured gun case, or the
16 equivalent thereof that completely encloses the ammunition."

17 SECTION 8. Section 183D-26, Hawaii Revised Statutes, is
18 amended to read as follows:

19 "**§183D-26 Hunting on private lands prohibited.** [~~(a)~~] No
20 person shall enter upon any land or premises belonging to, held,
21 or occupied by another, for the purpose of hunting or to take
22 any kind of wildlife including game without first having



1 obtained written permission from the owner or a duly appointed
2 agent, if the owner is the occupier or holder, or if the owner
3 has let another occupy or hold the same, without having first
4 obtained the permission of the occupier or holder thereof, or
5 the duly appointed agent of the occupier or holder.

6 ~~[(b) No prosecution shall be brought under this section,~~
7 ~~except upon the sworn complaint of the owner, occupier, or~~
8 ~~holder of the land or premises, or a duly appointed agent, or if~~
9 ~~the owner, occupier, or holder is either a corporation or a~~
10 ~~partnership, then the complaint shall be sworn to by an officer~~
11 ~~of the corporation or by one of the members of the~~
12 ~~partnership.]"~~

13 SECTION 9. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 10. This Act shall take effect on July 1, 2012.



Report Title:

Agriculture; Hunting

Description:

Restricts hunting to areas on public land where hunting is permitted or to areas on private land where the landowner has granted written permission. Allows transport and possession of firearms and ammunition in areas where hunting is permitted. Requires hunters to obtain written permission from landowners to hunt on private lands. Effective July 1, 2012. (HB1950 HD1)

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

