

---

---

# A BILL FOR AN ACT

RELATING TO ELECTRIC GUNS.

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

1           SECTION 1. Section 134-16, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§134-16 Restriction on possession, sale, gift, or**  
4 **delivery of electric guns.** (a) It shall be unlawful for any  
5 person, including a licensed manufacturer, licensed importer, or  
6 licensed dealer, to possess, offer for sale, hold for sale,  
7 sell, give, lend, or deliver any electric gun.

8           (b) Any electric gun possessed, offered, held, sold,  
9 given, lent, or delivered in violation of subsection (a) shall  
10 be confiscated and disposed of by the chief of police.

11           (c) This section shall not apply to:

12           (1) Law enforcement officers of county police departments;

13           (2) Law enforcement officers of the department of public  
14 safety;

15           (3) Conservation and resources enforcement officers of the  
16 department of land and natural resources;

17           (4) Members of the army or air national guard when  
18 assisting civil authorities in disaster relief, civil



1 defense, or law enforcement functions, subject to the  
2 requirements of section 121-34.5; and

3 (5) Vendors providing electric guns to the individuals  
4 described in paragraphs (1) through (4);

5 provided that electric guns shall at all times remain in the  
6 custody and control of the law enforcement officers of the  
7 county police departments, the law enforcement officers of the  
8 department of public safety, the conservation and resources  
9 enforcement officers of the department of land and natural  
10 resources, or the members of the army or air national guard.

11 (d) The county police departments of this State, the  
12 department of public safety, the department of land and natural  
13 resources, and the army and air national guard shall maintain  
14 records regarding every electric gun in their custody and  
15 control. The records shall report every instance of usage of  
16 the electric guns; in particular, records shall be maintained in  
17 a similar manner as for those of discharging of firearms. The  
18 county police departments, the department of public safety, the  
19 department of land and natural resources, and the army and air  
20 national guard shall annually report to the legislature  
21 regarding these records no later than twenty days before the  
22 beginning of each regular session of the legislature.



1 (e) The department of land and natural resources and the  
2 department of public safety shall ensure that each of their  
3 conservation and resources enforcement officers and law  
4 enforcement officers who is authorized to use an electric gun  
5 and related equipment shall first receive training from the  
6 manufacturer or from a manufacturer-approved training program,  
7 as well as by manufacturer-certified or approved instructors in  
8 the use of electric guns prior to deployment of the electric  
9 guns and related equipment in public. Training for conservation  
10 and resources enforcement officers of the department of land and  
11 natural resources and law enforcement officers of the department  
12 of public safety may be done concurrently to ensure cost  
13 savings.

14 [~~(f) The conservation and resources enforcement program of~~  
15 ~~the department of land and natural resources shall meet the law~~  
16 ~~enforcement accreditation or recognition standards of the~~  
17 ~~Commission on Accreditation for Law Enforcement Agencies, Inc.,~~  
18 ~~in the use of electric guns prior to obtaining electric guns,~~  
19 ~~related equipment, and training for the use of the electric~~  
20 ~~guns.] "~~


21 SECTION 2. Statutory material to be repealed is bracketed  
22 and stricken. New statutory material is underscored.



1 SECTION 3. This Act shall take effect on July 1, 2012.

2

INTRODUCED BY:

  
\_\_\_\_\_  
Tom Down

JAN 24 2012



# H.B. NO. 2681

**Report Title:**

Electric Guns; Department of Land and Natural Resources

**Description:**

Repeals the requirement that the Conservation and Resources Enforcement Program of the Department of Land and Natural Resources meet law enforcement accreditation or recognition standards of the Commission on Accreditation for Law Enforcement Agencies prior to using or obtaining electric guns, related equipment, and training. Effective July 1, 2012.

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

