

JAN 25 2012

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. A hunting license shall not be required
9 for persons engaged in target shooting."

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

11 "(c) A person may carry unconcealed and use a lawfully
12 acquired pistol or revolver while actually engaged in hunting
13 game mammals[7] at a place of formal hunting if that pistol or
14 revolver and its suitable ammunition are acceptable for hunting
15 by rules adopted pursuant to section 183D-3 and if that person
16 is licensed pursuant to part II of chapter 183D. The pistol or
17 revolver may be transported in an enclosed container, as defined
18 in section 134-25 in the course of going to and from the place
19 of the hunt, notwithstanding section 134-26."

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



1 "(a) Except as provided in section 134-5, all firearms
2 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 5. Section 134-24, Hawaii Revised Statutes, is
20 amended by amending subsection (a) to read as follows:

21 "(a) Except as provided in section 134-5, all firearms
22 shall be confined to the possessor's place of business,



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

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

19 "(a) Except as provided in sections 134-5 and 134-9, all
20 firearms shall be confined to the possessor's place of business,
21 residence, or sojourn; provided that it shall be lawful to carry
22 unloaded firearms in an enclosed container from the place of



1 purchase to the purchaser's place of business, residence, or
2 sojourn, or between these places upon change of place of
3 business, residence, or sojourn, or between these places and the
4 following:

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

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

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

17 "(a) Except as provided in sections 134-5 and 134-9, all
18 ammunition shall be confined to the possessor's place of
19 business, residence, or sojourn; provided that it shall be
20 lawful to carry ammunition in an enclosed container from the
21 place of purchase to the purchaser's place of business,
22 residence, or sojourn, or between these places upon change of



1 place of business, residence, or sojourn, or between these
2 places and the following:

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

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

13 SECTION 8. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 9. This Act shall take effect on July 1, 2012.

16

INTRODUCED BY: Clarence K. Michikawa



S.B. NO. 2647

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. 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.

