
A BILL FOR AN ACT

RELATING TO SHOOTING RANGE PROTECTION.

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

1 SECTION 1. The legislature finds that shooting ranges in
2 this State serve as valuable resources for target shooting and
3 firearm safety training. Shooting ranges and target shooting
4 facilities are important public recreation resources and provide
5 opportunities for law enforcement agencies and personnel to
6 maintain necessary firearms skills training at minimal cost.
7 The continued existence and viability of shooting ranges is
8 impacted by burdensome retroactive regulation and lawsuits,
9 threatening the availability of vital firearms training to local
10 law enforcement agencies, hunters, and the general public.

11 The purpose of this Act is to protect shooting ranges from
12 criminal and civil penalties regarding claims of noise and
13 nuisance, which are commenced after the initial construction or
14 operation of the shooting range.

15 SECTION 2. Chapter 134, Hawaii Revised Statutes, is
16 amended by adding a new section to part I to be appropriately
17 designated and to read as follows:



1 "§134- Shooting range protection. (a) Notwithstanding
2 any other provision of law, a person who operates or uses a
3 shooting range in this State shall not be subject to civil
4 liability or criminal prosecution in any matter relating to
5 noise or noise pollution resulting from the operation or use of
6 the shooting range, if the range is in compliance with
7 applicable noise control laws or ordinances established on or
8 prior to the date of initial construction or operation of the
9 range.

10 (b) A person who operates or uses a shooting range shall
11 not be subject to an action for nuisance, and no court of the
12 State shall enjoin the use or operation of a range on the basis
13 of noise or noise pollution, if the range is in compliance with
14 noise control laws or ordinances established on or prior to the
15 date of initial construction or operation of the range.

16 (c) Rules adopted by any department or agency for the
17 purpose of limiting noise decibel levels that may occur in the
18 atmosphere do not apply to a shooting range exempted from
19 liability under this section.

20 (d) A person who acquires title to or who owns real
21 property adversely affected by the use of property with a



1 permanently located and improved shooting range shall not
2 maintain a nuisance action against an individual who owns the
3 shooting range to restrain, enjoin, or impede the use of the
4 range where there has not been a substantial change in the
5 nature of the use of the range.

6 (e) Any shooting range that is lawfully operated pursuant
7 to existing law shall be permitted continued operational use of
8 the shooting range despite nonconformance with a subsequently
9 enacted or amended ordinance.

10 (f) Except as otherwise provided in this section, this
11 section does not prohibit a local government from regulating the
12 location and construction of a shooting range.

13 (g) As used in this section, "shooting range" or "range"
14 means an area designed and operated for the use of firearms,
15 rifles, shotguns, pistols, silhouettes, skeet, trap, black
16 powder, or any other similar sport shooting."

17 SECTION 3. New statutory material is underscored.

18 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Shooting Range Protection

Description:

Provides for shooting range exemptions regarding retroactive regulation, and civil and criminal noise and nuisance violations. (HB50 HD1)

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

