

Honolulu, Hawaii

FEB 29, 2024

RE: H.B. No. 2342
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 2342 entitled:

"A BILL FOR AN ACT RELATING TO WEAPONS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit carrying or using a firearm in the commission of a separate misdemeanor offense; and
- (2) Amend and clarify prohibitions regarding deadly or dangerous weapons, switchblade knives, and butterfly knives.

Your Committee received testimony in support of this measure from the Department of the Attorney General; Honolulu Police Department; Department of the Prosecuting Attorney of the City and County of Honolulu; and one individual. Your Committee received testimony in opposition to this measure from the Office of the Public Defender; National Rifle Association in Hawaii; and numerous individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that in order to address hazards to public health, safety, and welfare, Hawaii's laws relating to

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weapons need to be clarified, updated, and revised. While the use of a firearm in the commission of a felony is already prohibited under state law, there is a need to also prohibit the use of firearms in misdemeanor offenses. Additionally, prohibitions regarding deadly or dangerous weapons, switchblade knives, and butterfly knives must be updated.

Your Committee has amended this measure by:

- (1) Deleting language that would have prohibited a person from intentionally using or threatening to use a firearm while engaged in the commission of a separate misdemeanor offense;
- (2) Clarifying that the term "misdemeanor" does not include a petty misdemeanor under the offense of carrying of a firearm in the commission of a separate misdemeanor;
- (3) Prohibiting the concealed carry of a deadly or dangerous weapon, switchblade knife, or butterfly knife in a bag or other container carried by a person;
- (4) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2342, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2342, H.D. 1, and be placed on the calendar for Third Reading.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



