

JAN 18 2023

A BILL FOR AN ACT

RELATING TO FIREARMS.

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

1 SECTION 1. Chapter 134, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§134- Possession of a loaded firearm while intoxicated;
5 prohibited. (a) It shall be unlawful for a person to possess a
6 loaded firearm while the person is intoxicated.

7 (b) Any person violating this section shall be guilty of a
8 petty misdemeanor.

9 (c) For purposes of this section:

10 (1) A person is in possession of a loaded firearm when the
11 person has immediate physical control over a loaded
12 firearm and the person is outside of the person's
13 dwelling as defined in section 703-300; and

14 (2) A person is intoxicated if the person:

15 (A) Is under the influence of alcohol in an amount
16 sufficient to impair the person's normal mental



S.B. NO. 49

1 faculties or ability to operate a firearm in a
2 careful and prudent manner;

3 (B) Has .08 or more grams of alcohol per two hundred
4 ten liters of the person's breath; or

5 (C) Has .08 or more grams of alcohol per one hundred
6 milliliters or cubic centimeters of the person's
7 blood."

8 SECTION 2. This Act does not affect rights and duties that
9 matured, penalties that were incurred, and proceedings that were
10 begun before its effective date.

11 SECTION 3. New statutory material is underscored.

12 SECTION 4. This Act shall take effect upon its approval.

13

INTRODUCED BY: 



S.B. NO. 49

Report Title:

Firearms; Possession Prohibited While Intoxicated

Description:

Establishes the offense of possession of a loaded firearm while intoxicated as a petty misdemeanor.

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

