HOUSE OF REPRESENTATIVES THIRTY-SECOND LEGISLATURE, 2023 STATE OF HAWAII

H.B. NO. 33

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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	<u>∎§134</u>	- 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	



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1		faculties or ability to operate a firearm in a		
2		careful and prudent manner;		
3	<u>(B)</u>	Has .08 or more grams of alcohol per two hundred		
4		ten liters of the person's breath; or		
5	<u>(C)</u>	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 i	ts effective date.		
11	SECTION 3	. New statutory material is underscored.		
12	SECTION 4	. This Act shall take effect upon its approval.		
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		INTRODUCED BY: his Martin		

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Report Title:

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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.

