A BILL FOR AN ACT

RELATING TO FIREARMS.

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

1	1 SECTION 1. Chapter 134, Hawaii R	evised Statutes, is	
2	amended by adding a new section to be appropriately designated		
3	and to read as follows:		
4	4 E134- Possession of a loaded	firearm while intoxicated;	
5	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	<u>:</u>	
10	0 (1) A person is in possession of	a loaded firearm when the	
11	person has immediate physica	l control over a loaded	
12	firearm and the person is ou	tside of the person's	
13	dwelling as defined in secti	on 703-300; and	
14	4 (2) A person is intoxicated if t	he person:	
15	5 (A) Is under the influence	of alcohol in an amount	
16	6 sufficient to impair th	e person's normal mental	

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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	<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 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: his huter	
		IAN 1 0 2022	

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Report Title:

Firearms; Possession Prohibited While Intoxicated

Description:

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

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