

ACT 285

H.B. NO. 1496

A Bill for an Act Relating to Deadly or Dangerous Weapons.

Be It Enacted by the Legislature of the State of Hawaii:

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

“§134- Butterfly knives; prohibitions; penalty. (a) Whoever knowingly manufactures, sells, transfers, possesses, or transports in the State any butterfly knife, being a knife having a blade encased in a split handle that manually unfolds with hand or wrist action with the assistance of inertia, gravity or both, shall be guilty of a misdemeanor.

(b) Whoever knowingly possesses or intentionally uses or threatens to use a butterfly knife while engaged in the commission of a crime shall be guilty of a class C felony.”

SECTION 2. Section 134-51, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Any person, not authorized by law, who carries concealed upon the person’s self or within any vehicle used or occupied by the person or who is found armed with any dirk, dagger, [butterfly knife,] blackjack, slug shot, billy, metal knuckles, pistol, or other deadly or dangerous weapon shall be guilty of a misdemeanor and may be immediately arrested without warrant by any sheriff, police officer, or other officer or person. Any weapon, above enumerated, upon conviction of the one carrying or possessing it under this section, shall be summarily destroyed by the chief of police or sheriff.”

SECTION 3. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.¹

SECTION 5. This Act shall take effect upon its approval.

(Approved July 6, 1999.)

Note

1. Edited pursuant to HRS §23G-16.5.