

**ACT 319**

H.B. NO. 2113

A Bill for an Act Relating to Fire Protection.

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

SECTION 1. The purpose of this Act is to impose a total ban on aerial luminaries, also known as sky lanterns. The legislature finds that aerial luminaries pose a potential hazard to our community. These devices are paper lanterns containing a small candle or other fuel that heats air inside the lantern causing the lantern to rise for several hundred feet and remain airborne until the candle extinguishes, at which time the lantern descends. This uncontrolled open flame device can land on combustible vegetation, buildings, or power lines, and interfere with aircraft flight patterns. Death or serious injury to livestock has been reported in many countries when the sky lantern remains are consumed.

SECTION 2. Chapter 132D, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**ACT 319**

**“§132D- Aerial luminaries; prohibited.** (a) It shall be unlawful to sell, offer for sale, distribute, possess, ignite, or otherwise use aerial luminaries, commonly known as sky lanterns, Hawaii lanterns, and flying luminaries.

(b) Any person who violates this section shall be guilty of a misdemeanor and shall be imprisoned for not more than one year or fined not more than \$1,000, or both, for each violation.

(c) As used in this section, “aerial luminary” means an airborne paper lantern containing a small candle, or other device for fuel, that heats air from inside the lantern causing the lantern to rise into the air and remain airborne until the candle or other device extinguishes.”

**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.** New statutory material is underscored.<sup>1</sup>

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

(Approved July 10, 2012.)

**Note**

1. Edited pursuant to HRS §23G-16.5.