July 6, 2021

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 6, 2021, the following bill was signed into law:

HB0891 HD2 SD2 CD1 RELATING TO ELECTRIC GUNS.
ACT 183 (21)

Sincerely,

David Y. Ige
Governor, State of Hawai'i
A BILL FOR AN ACT

RELATING TO ELECTRIC GUNS.

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

SECTION 1. The legislature finds that the United States Supreme Court decision in Caetano v. Massachusetts, 136 S. Ct. 1027 (2016), which overruled a decision of the Massachusetts Supreme Judicial Court, has raised questions regarding the constitutionality of bans on electric guns, and may make amendments to Hawaii's law on electric guns advisable. The purpose of this Act is to protect the health and safety of the public by regulating the sale and use of electric guns and repeal the existing prohibition on electric guns.

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

"PART A. ELECTRIC GUNS

§134-A Definitions. As used in this part:

"Cartridge" means any device or object that is designed to be used with an electric gun to project a missile. "Cartridge" includes but is not limited to a Taser cartridge.

2021-3267 HB891 CD1 HMSO
"Electric gun" means any portable device that is designed
to discharge electric energy, charge, voltage, or current into
the body through direct contact or utilizing a projectile.
"Electric gun" includes but is not limited to devices commonly
referred to as stun guns and Tasers. "Electric gun" does not
include any automatic external defibrillator used in emergency
medical situations.

"Law enforcement agency" means any county police
department, the department of public safety, the department of
the attorney general, the division of conservation and resources
enforcement of the department of land and natural resources, and
any other state or county public body that employs law
enforcement officers.

"Law enforcement officer" means a sheriff or deputy
sheriff, a police officer, an enforcement officer within the
division of conservation and resources enforcement of the
department of land and natural resources, a special agent of the
department of the attorney general, and any other public servant
vested by law with a duty to maintain public order, make arrests
for offenses, or enforce criminal laws, whether that duty
extends to all offenses or is limited to a specific class of offenses.

"Licensee" means a person licensed to sell, offer to sell, distribute, or otherwise transfer electric guns and cartridges pursuant to section 134-C.

"Person" means an individual, firm, corporation, partnership, association, or any form of business or legal entity.

"Transfer" means the granting of possession or ownership to another. "Transfer" includes but is not limited to the granting of temporary possession to another.

§134-B Restrictions on use, sale, offer for sale, distribution, and transfer of electric guns and cartridges. (a) It shall be unlawful for any person to knowingly or recklessly use an electric gun for any purpose except:

(1) Self-defense;

(2) Defense of another person; or

(3) Protection of property of the person or of another person.

(b) Except as provided in section 134-E, it shall be unlawful for any person to knowingly sell, offer to sell,
distribute, or otherwise transfer an electric gun or cartridge
without a license obtained pursuant to section 134-C. It is an
affirmative defense to prosecution pursuant to this subsection
that the person is more than twenty-one years of age and is an
employee of a licensee acting within the scope of the person's
employment.

(c) It shall be unlawful for a licensee or employee of a
licensee to knowingly sell, offer to sell, distribute, or
otherwise transfer an electric gun or cartridge at a place other
than the licensee's designated place of business.

(d) It shall be unlawful for any person to knowingly sell,
offer to sell, distribute, or otherwise transfer an electric gun
or cartridge to a person less than twenty-one years of age.

(e) It shall be unlawful for any person, other than a
licensee, a law enforcement agency, or the Army or Air National
Guard, to knowingly or recklessly purchase, obtain, or otherwise
receive an electric gun or cartridge from a person who does not
have a license issued pursuant to section 134-C.

(f) Any person violating this section shall be guilty of a
misdemeanor.
§134-C License to sell, offer to sell, distribute, or otherwise transfer electric guns or cartridges; fee. (a) Any person desiring to sell, offer to sell, distribute, or otherwise transfer electric guns or cartridges to a person in the State, either at wholesale or retail, shall annually file an application for a license to do so with the county in which the person desires to conduct business or within the county to which the person intends the electric guns or cartridges to be sold, offered for sale, distributed, or otherwise transferred using forms prescribed by the county.

(b) If the applicant is an individual, the application and supporting documentation shall establish at least the following:

(1) The legal name, date of birth, and the last four digits of the social security number of the individual;

(2) The street address, telephone number, fax number, and electronic mail address of the individual;

(3) The name and location of the principal place of business of the individual and, if applicable, each additional designated place of business from which the
individual desires to sell, offer to sell, distribute, or otherwise transfer electric guns or cartridges;

(4) The individual's Hawaii tax identification number;

(5) That the individual has had no convictions for any felony offense;

(6) Within the last three years, that the individual has completed an electric gun safety or training course offered or approved by the county that focuses on:

(A) The safe use and handling of electric guns;

(B) Current information about the effects, dangers, risks, and limitations of electric guns; and

(C) Education on the existing state laws on electric guns; and

(7) Any other information the county may require.

(c) If the applicant is not an individual, the application and supporting documentation shall establish at least the following:

(1) The name of the applying entity and any other name under which the applying entity does business, if applicable;
(2) The street address, telephone number, fax number, and electronic mail address of the applying entity;

(3) The legal name, date of birth, and the last four digits of the social security number of each of the principal owners or members of the applying entity;

(4) The street address, telephone number, fax number, and electronic mail address of each of the principal owners or members of the applying entity;

(5) The name and location of the principal place of business of the applying entity and, if applicable, each additional designated place of business from which the applying entity desires to sell, offer to sell, distribute, or otherwise transfer electric guns or cartridges;

(6) That the applying entity is registered to do business in the State;

(7) That the applying entity is composed of principal owners or members who have had no convictions for any felony offense;

(8) The applying entity's Hawaii tax identification number;
(9) The applying entity's federal employer identification number;

(10) Within the last three years, that at least one principal owner or member of the applying entity has completed an electric gun safety or training course, as described in subsection (b)(6); and

(11) Any other information the county may require.

(d) The applicant shall certify that the applicant will comply at all times with, and is responsible for compliance by its employees with, all provisions of law relative to the acquisition, possession, storage, sale, offer for sale, distribution, and transfer of electric guns and cartridges.

(e) Upon receipt of the completed application form and the annual licensing fee of $50 payable to the county, the county shall review the application and may issue a license to the applicant if it determines that the applicant meets all the requirements of this section. If requested by the licensee, the county shall provide certified copies of the license to the licensee.

(f) A license issued pursuant to this section shall expire on June 30 next following the date of issuance of the license.
unless sooner terminated. Application for renewal of license shall be filed on or before July 1 of each year.

§134-D Sale, offer for sale, distribution, or transfer of electric guns or cartridges. (a) A licensee shall post the license to sell, offer to sell, distribute, or otherwise transfer electric guns or cartridges, or a certified copy thereof, in a location readily visible to customers at each designated place of business. For internet sales by a licensee, the license number shall be prominently displayed and an electronic copy of the license shall be readily accessible to the customer.

(b) An individual licensee shall complete at least once every three years an electric gun safety or training course offered or approved by the county that focuses on:

(1) The safe use and handling of electric guns;

(2) Current information about the effects, dangers, risks, and limitations of electric guns; and

(3) Education on the existing state laws on electric guns.

A licensee shall keep copies of the certificates of completion of these training courses in the licensee's business records.
(c) A licensee shall not allow any employee to participate in the sale or transfer of electric guns or cartridges unless the employee completes at least once every three years the training courses described in subsection (b). The licensee shall keep copies of the certificates of completion of the training courses for each employee in the licensee's business records.

(d) If there is no manufacturer serial number on an electric gun or cartridge received into inventory by a licensee, then the licensee shall engrave on the electric gun or cartridge a legible unique serial number that begins with the licensee's license number, followed by a hyphen and a unique identifying number.

(e) A licensee shall keep records for all electric guns and cartridges received into inventory within the State, including:

(1) Information identifying the seller, distributor, or transferor of the electric gun or cartridge; and

(2) The transaction record for the electric gun or cartridge, including the date of receipt, a description of the electric gun or cartridge, the
manufacturer's serial number or the unique identifying
serial number engraved by the licensee, and, if
available, the manufacturer and the model number.

(f) Before completing a sale, distribution, or other
transfer of an electric gun, the licensee or an employee of the
licensee shall conduct a criminal history background check of
the recipient. At minimum, the criminal history background
check shall be a name-based search of the adult criminal
conviction records maintained by the Hawaii criminal justice
data center. The licensee or employee of the licensee shall
require the recipient to review a printed copy of the results of
the background check. After the review, the recipient shall
sign and date a declaration. The declaration shall be in the
following form: "I, (name of recipient), declare under penalty
of law that the attached document accurately reflects my adult
criminal conviction history in Hawaii. I further declare that I
do not have any convictions or charges pending against me that
disqualify me from owning an electric gun. I further declare
under penalty of law that I am not disqualified from owning an
electric gun." The licensee or employee of the licensee shall
witness the recipient sign the declaration and sign the
declaration as a witness. If the recipient is disqualified from
owning an electric gun, or refuses or is unable to sign or make
the declaration, the licensee shall immediately terminate the
sale, distribution, or transfer.

(g) Before completing a sale, distribution, or other
transfer of an electric gun, the licensee or an employee of the
licensee shall provide an informational briefing to the
recipient that includes but is not limited to the following:

(1) The safe use and handling of electric guns;

(2) Current information about the effects, dangers, risks,
and limitations of electric guns;

(3) Education on the existing state laws on electric guns;

and

(4) The proper disposal of electric guns.

(h) Upon completion of the informational briefing, the
licensee shall provide a certification of informational briefing
that is signed and dated by the recipient and the person who
provided the informational briefing acknowledging that the
briefing was completed and that the recipient understood the
briefing. The certification shall include the names of the
recipient and the person who provided the informational briefing
and the date of the briefing. The form of the certification shall be as provided by the county office that issued the license to the licensee.

(i) A licensee shall keep a record of the information provided to recipients during the informational briefing.

(j) A licensee shall keep records of all sales, distributions, and other transactions of electric guns and cartridges sold in the State or to a recipient in the State, including:

(1) The recipient's name, date of birth, address, and telephone number;

(2) A copy of the recipient's government-issued identification card or document;

(3) The transaction record for the electric gun or cartridge, including the date of the transaction; a description of the electric gun or cartridge; if available, the name of the manufacturer and serial and model numbers; and, if necessary, the unique serial number engraved by the licensee;
(4) The criminal history background check and declaration
signed by the recipient and the licensee or licensee's
employee as a witness; and

(5) A copy of the certification of informational briefing
signed and dated by the recipient and the person who
provided the briefing.

(k) A licensee shall keep a record of the licensee's
current inventory of electric guns and cartridges.

(l) During normal business hours, a licensee shall allow
the chief of police of the appropriate county or designee to
inspect the licensee's books and records for all records
required to be kept by the licensee for electric guns and
cartridges. At the discretion of the chief of police of the
appropriate county or designee, the inspection of the records
may be conducted via facsimile transmittal of the records.

(m) A licensee shall keep records required by this section
for a minimum of ten years. If a licensee, as a result of death
or dissolution, cannot maintain the records, the records shall
be turned over to the chief of police of the appropriate county
or designee.
(n) When displaying or storing electric guns or cartridges at a designated place of business, a licensee shall display or store the electric guns and cartridges in a locked cabinet or area not accessible to the general public.

(o) During normal business hours, a licensee shall allow the chief of police of the appropriate county or designee to physically inspect all electric guns and cartridges in the possession and control of the licensee wherever they may be located within the State.

(p) Any person, including any licensee, violating this section shall be guilty of a misdemeanor.

(q) A license may be suspended or revoked for a violation of any of the requirements of this section.

§134-E Disposal of electric gun or cartridge. A person who is not a licensee may sell or otherwise transfer an electric gun or cartridge to a licensee or the chief of police of the appropriate county or designee. The chief of police may either destroy the electric gun or cartridge or utilize the electric gun or cartridge for educational purposes. The chief of police shall maintain records of all surrendered electric guns and cartridges, including their disposition.
§134-F Ownership or possession prohibited. (a) No person who is a fugitive from justice shall own, possess, or control an electric gun.

(b) No person who is under indictment for, has waived indictment for, has been bound over to the circuit court for, or has been convicted in this State or elsewhere of having committed a felony, any crime of violence, or any illegal sale of any drug shall own, possess, or control an electric gun.

(c) No person who:

(1) Is or has been under treatment or counseling for addiction to, abuse of, or dependence upon any dangerous, harmful, or detrimental drug; intoxicating compound as defined in section 712-1240; or intoxicating liquor;

(2) Has been acquitted of a crime on the grounds of mental disease, disorder, or defect pursuant to section 704-411;

(3) Is or has been diagnosed as having a significant behavioral, emotional, or mental disorder as defined by the most current diagnostic manual of the American Psychiatric Association; or
(4) Is under treatment for an organic brain syndrome; shall own, possess, or control an electric gun, unless the person has been medically documented to be no longer adversely affected by the addiction, abuse, dependence, syndrome, or mental disease, disorder, or defect.

(d) No person who is less than twenty-five years of age and has been adjudicated by the family court to have committed a felony, two or more crimes of violence, or an illegal sale of any drug shall own, possess, or control an electric gun.

(e) No person who is less than twenty-one years of age shall own, possess, or control an electric gun.

(f) No person shall possess an electric gun that is owned by another, regardless of whether the owner has consented to possession of the electric gun.

(g) No person who has been restrained pursuant to an order of any court, including an ex parte order as provided in this subsection, from contacting, threatening, or physically abusing any person or from possessing or owning a firearm, shall possess, control, or transfer ownership of an electric gun, so long as the protective order, restraining order, or any extension is in effect, unless the order, for good cause shown,
specifically permits the possession of an electric gun. The restraining order or order of protection shall specifically include a statement that possession, control, or transfer of an electric gun by the person named in the order is prohibited. Such person shall relinquish possession and control of any electric gun owned by that person to the police department of the appropriate county for safekeeping for the duration of the order or extension thereof.

In the case of an ex parte order that includes a restriction on the possession, control, or transfer of an electric gun, the affidavit or statement under oath that forms the basis for the order shall contain a statement of the facts that support a finding that the person to be restrained owns, intends to obtain or transfer, or possesses an electric gun, and that the electric gun may be used to threaten, injure, or abuse any person. The ex parte order shall be effective upon service pursuant to section 586-6.

At the time of service of a restraining order involving electric guns issued by any court, the police officer may take custody of any and all electric guns in plain sight, those
discovered pursuant to a consensual search, and those electric
guns surrendered by the person restrained.

For the purposes of this subsection, "good cause" shall not
be based solely upon the consideration that the person subject
to restraint pursuant to an order of any court, including an ex
parte order as provided for in this subsection, is required to
possess or carry an electric gun during the course of the
person's employment. "Good cause" includes but is not limited
to the protection and safety of the person to whom a restraining
order is granted.

(h) Any person disqualified from ownership, possession,
control, or the right to transfer ownership of an electric gun
under this section shall surrender or dispose of all electric
guns in compliance with section 134-E.

(i) For the purposes of enforcing this section, and
notwithstanding section 571-84 or any other law to the contrary,
any agency within the State shall make its records relating to
family court adjudications available to law enforcement
officials.

(j) Any person violating subsection (a) or (b) shall be
guilty of a class C felony. Any person violating
subsection (c), (d), (e), (f), (g), or (h) shall be guilty of a misdemeanor.

§134-G Exemptions. (a) Sections 134-B and 134-F(f) shall not apply to:

(1) Law enforcement agencies and law enforcement officers acting within the course of their employment; and

(2) The Army or Air National Guard and its members when they are assisting civil authorities in disaster relief, emergency management, or law enforcement functions, subject to the requirements of section 121-34.5;

provided that the electric guns shall be acquired by the law enforcement agencies or the Army or Air National Guard and not individual law enforcement officers or members of the Army or Air National Guard, and shall remain in the custody and control of law enforcement agencies or the Army or Air National Guard.

(b) Law enforcement agencies that authorize use of electric guns by its law enforcement officers and the Army or Air National Guard shall:

(1) Provide training from the manufacturer or from a manufacturer-approved training program conducted by
manufacturer-certified or manufacturer-approved instructors in the use of electric guns before deployment of the electric guns and related equipment in public;

(2) Maintain records regarding every electric gun in its custody and control, including every instance of usage of the electric guns, in a similar manner as records are maintained for the discharge of firearms; and

(3) Report to the legislature on the information in, and maintenance of, these records no later than twenty days prior to the convening of each regular session.

(c) The licensing requirement of sections 134-B(b) and 134-C shall not apply to the sale of electric guns and cartridges by the electric gun manufacturers distributing directly to law enforcement agencies or the Army or Air National Guard.

§134-H Storage of electric gun; responsibility with respect to minors. (a) No person shall store or keep any electric gun on any premises under the person's control if the
1 person knows or reasonably should know that a minor is likely to
2 gain access to the electric gun, unless the person:
3 (1) Keeps the electric gun in a securely locked box or
4 other container or in a location that a reasonable
5 person would believe to be secure; or
6 (2) Carries the electric gun on the person or within such
7 close proximity thereto that the minor cannot gain
8 access or control of the electric gun.
9 (b) Any person violating this section shall be guilty of a
10 misdemeanor.

§134-I Carrying or use of electric gun in the commission
12 of a separate misdemeanor. (a) It shall be unlawful for a
13 person to knowingly carry on the person or have within the
14 person's immediate control or intentionally use or threaten to
15 use an electric gun, whether operable or not, while engaged in
16 the commission of a separate misdemeanor; provided that a person
17 shall not be prosecuted under this subsection when the separate
18 misdemeanor is a misdemeanor defined by this chapter.
19 (b) A conviction and sentence under this section shall be
20 in addition to and not in lieu of any conviction and sentence
21 for the separate misdemeanor; provided that the sentence imposed
under this section may run concurrently or consecutively with
the sentence for the separate misdemeanor.
(c) Any person violating this section shall be guilty of a
class C felony.
§134-J Carrying or use of electric gun in the commission
of a separate felony. (a) It shall be unlawful for a person to
knowingly carry on the person or have within the person's
immediate control or intentionally use or threaten to use an
electric gun, whether operable or not, while engaged in the
commission of a separate felony; provided that a person shall
not be prosecuted under this subsection when the separate felony
is a felony defined by this chapter.
(b) A conviction and sentence under this section shall be
in addition to and not in lieu of any conviction and sentence
for the separate felony; provided that the sentence imposed
under this section may run concurrently or consecutively with
the sentence for the separate felony.
(c) Any person violating this section shall be guilty of a
class B felony."
SECTION 3. Section 121-34.5, Hawaii Revised Statutes, is
amended to read as follows:
§121-34.5[*] Use of electric guns. Members of the Army or Air National Guard who have been qualified by training and are authorized by their commanders may use electric guns, as specifically provided in section [134-16(e) and (d)] 134-G, when assisting civil authorities in disaster relief, emergency management, or law enforcement functions; provided that "training" for the purposes of this section means a course of instruction or training in the use of any electric gun authorized pursuant to this section, that is provided or authorized by the manufacturer or is manufacturer-approved or is an electric gun training program approved by the Army or Air National Guard, prior to deployment or issuance of electric guns and related equipment."

SECTION 4. Section 134-1, Hawaii Revised Statutes, is amended by deleting the definition of "electric gun".

[""Electric gun" means any portable device that is electrically operated to project a missile or electremotive force. It does not include any electric livestock prod used in animal husbandry and any automatic external defibrillator used in emergency medical situations."]
SECTION 5. Section 134-17, Hawaii Revised Statutes, is
amended by amending subsection (c) to read as follows:

"(c) Any person who violates section 134-2, 134-4, 134-10,
or 134-15[, or 134-16(a)] shall be guilty of a misdemeanor. Any
person who violates section 134-3(b) shall be guilty of a petty
misdemeanor and the firearm shall be confiscated as contraband
and disposed of, if the firearm is not registered within
five days of the person receiving notice of the violation."

SECTION 6. Section 266-24, Hawaii Revised Statutes, is
amended by amending subsection (a) to read as follows:

"(a) The director of transportation shall enforce this
chapter and all rules thereunder, except for the rules relative
to the control and management of the beaches encumbered with
easements in favor of the public and ocean waters, which shall
be enforced by the department of land and natural resources.
For the purpose of the enforcement of this chapter and of all
rules adopted pursuant to this chapter, the powers of police
officers are conferred upon the director of transportation and
any officer, employee, or representative of the department of
transportation. Without limiting the generality of the
foregoing, the director and any person appointed by the director
hereunder may serve and execute warrants, arrest offenders, and
serve notices and orders. The director of transportation and
any employee, agent, or representative of the department of
transportation appointed as enforcement officers by the
director, and every state and county officer charged with the
enforcement of any law, statute, rule, regulation, ordinance, or
order, shall enforce and assist in the enforcement of this
chapter and of all rules and orders issued pursuant thereto, and
in carrying out the responsibilities hereunder, each shall be
specifically authorized to:

(1) Conduct any enforcement action hereunder in any
commercial harbor area and any area over which the
department of transportation and the director of
transportation has jurisdiction under this chapter;

(2) Inspect and examine at reasonable hours any premises,
and the buildings and other structures thereon, where
harbors or harbor facilities are situated, or where
harbor-related activities are operated or conducted;

and

(3) Subject to limitations as may be imposed by the
director of transportation, serve and execute
warrants, arrest offenders, and serve notices and
orders.

Any employee appointed as a law enforcement officer by the
director of transportation pursuant to this section who has been
qualified by training may use electric guns, as specifically
provided in section [134–167] 134–G, when exercising powers of
police officers and carrying out the responsibilities described
herein; provided that training for the purposes of this section
means a course of instruction or training in the use of any
electric gun that is provided, authorized, or approved by the
manufacturer of the electric gun [prior to] before deployment or
issuance of electric guns and related equipment.

For purposes of this subsection, [the term "agents and
representatives"] "agent" and "representative" includes but is
not limited to persons performing services at harbors or harbor
areas under contract with the department of transportation."

SECTION 7. Section 463–10.5, Hawaii Revised Statutes, is
amended by amending subsection (e) to read as follows:

"(e) Before beginning employment as a guard or in a guard
capacity, in addition to the classroom instruction required by
this section, guards and individuals acting in a guard capacity
who carry a firearm or other weapon, including but not limited


to an electric gun as defined in section [134-1r] 134-A, while


on-duty in a guard capacity shall possess a valid permit to


acquire the ownership of a firearm issued by county police


pursuant to section 134-2 and shall satisfy the requirements of


section 134-2(g)."


SECTION 8. Section 134-16, Hawaii Revised Statutes, is


repealed.


["§134-16—Restriction on possession, sale, gift, or
delivery of electric guns. (a) It shall be unlawful for any


person, including a licensed manufacturer, licensed importer, or


licensed dealer, to possess, offer for sale, hold for sale,


sell, give, lend, or deliver any electric gun.


(b) Any electric gun possessed, offered for sale, held for


sale, sold, given, lent, or delivered in violation of subsection


(a) shall be confiscated and disposed of by the chief of police.


(c) This section shall not apply to:


(1) Law enforcement officers of county police departments;


(2) Law enforcement officers of the department of public


safety;"
(3) Conservation and resources enforcement officers of the department of land and natural resources;

(4) Members of the Army or Air National Guard when assisting civil authorities in disaster relief, emergency management, or law enforcement functions, subject to the requirements of section 121-34.5;

(5) Law enforcement officers appointed by the director of transportation pursuant to section 266-24; and

(6) Vendors providing electric guns to the individuals described in paragraphs (1) through (5);

provided that electric guns shall at all times remain in the custody and control of the law enforcement officers of the county police departments, the law enforcement officers of the department of public safety, the conservation and resources enforcement officers of the department of land and natural resources, the members of the Army or Air National Guard, or law enforcement officers appointed by the director of transportation.

(d) The county police departments of this State, the department of public safety, the department of land and natural resources, the Army and Air National Guard, and the department
of transportation shall maintain records regarding every
electric gun in their custody and control. The records shall
report every instance of usage of the electric guns, in
particular, records shall be maintained in a similar manner as
for those of discharging of firearms. The county police
departments, the department of public safety, the department of
land and natural resources, the army and air national guard, and
the department of transportation shall annually report to the
legislature regarding these records no later than twenty days
before the beginning of each regular session of the legislature.
(c) The department of land and natural resources, the
department of public safety, and the department of
transportation shall ensure that each of its conservation and
resources enforcement officers and law enforcement officers who
is authorized to use an electric gun and related equipment shall
first receive training from the manufacturer or from a
manufacturer-approved training program, as well as by
manufacturer-certified or approved instructors in the use of
electric guns prior to deployment of the electric guns and
related equipment in public. Training for conservation and
resources enforcement officers of the department of land and
natural resources, law enforcement officers of the department of
public safety, and law enforcement officers of the department of
transportation may be done concurrently to ensure cost savings.

(f) No later than June 30, 2018, the conservation and
resources enforcement program of the department of land and
natural resources shall meet the law enforcement accreditation
or recognition standards of the Commission on Accreditation for
Law Enforcement Agencies, Inc., in the use of electric guns.

(g) No later than June 30, 2024, the law enforcement
officers appointed by the director of transportation shall meet
the law enforcement accreditation or recognition standards of
the Commission on Accreditation for Law Enforcement Agencies,
Inc., in the use of electric guns.

SECTION 9. This Act does not affect rights and duties that
matured, penalties that were incurred, and proceedings that were
begun, before the effective date of this Act.

SECTION 10. In codifying the new sections added by
section 2 of this Act, the revisor of statutes shall substitute
appropriate section numbers for the letters used in designating
the new sections in this Act.
SECTION 11. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 12. This Act shall take effect on January 1, 2022.

APPROVED this 06 day of __________, 2021

[Signature]

GOVERNOR OF THE STATE OF HAWAII
HB No. 891, HD 2, SD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 27, 2021
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021.

Scott K. Saiki
Speaker
House of Representatives

Brian L. Takeshita
Chief Clerk
House of Representatives
THE SENATE OF THE STATE OF HAWAI‘I

Date: April 27, 2021
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-First Legislature of the State of Hawai‘i, Regular Session of 2021.

President of the Senate

Clerk of the Senate