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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. The legislature finds that firearm dealers  
2 licensed under state law currently are under no obligation to  
3 ensure that their inventories are secured against theft, either  
4 in the normal course of business or during a natural disaster or  
5 national emergency. The absence of such requirements during and  
6 in the aftermath of Hurricane Katrina permitted the widescale  
7 looting of firearms which were then used to attack survivors,  
8 rescue personnel, and law enforcement officials alike.

9           The legislature further finds that, while the county chiefs  
10 of police are primarily responsible for administration of the  
11 firearms laws of this State, chapter 134, Hawaii Revised  
12 Statutes, delegates to the attorney general the responsibility  
13 of developing standardized forms and procedures for the police  
14 to use in administering the firearms laws. This ensures uniform  
15 application of firearm laws throughout the State.

16           The purpose of this Act is to require the attorney general  
17 to adopt rules for the secure storage of firearms by firearms  
18 dealers and thereby to prevent the gun violence that wreaked



1 havoc on rescue and recovery efforts in the wake of Hurricane  
2 Katrina.

3 SECTION 2. Part II, Chapter 134, Hawaii Revised Statutes,  
4 is amended by adding a new section to be appropriately  
5 designated and to read as follows:

6 "§134- Secure storage of firearms; report of theft;  
7 penalty. (a) Any person who is licensed pursuant to section  
8 134-31 shall ensure that all firearms and ammunition in the  
9 licensee's inventory are secured from theft at all times.  
10 Licensees shall maintain an accurate and current inventory of  
11 all firearms in the licensee's possession, which shall be made  
12 available for inspection by the chief of police of each county  
13 during normal business hours at the licensee's place of  
14 business.  
15 (b) Licensees shall report the theft of any firearm in the  
16 licensee's inventory to the chief of police within twenty-four  
17 hours after the theft is discovered or should have been  
18 discovered.  
19 (c) The attorney general shall adopt rules pursuant to  
20 chapter 91 necessary to ensure secure storage of the inventory  
21 of dealers licensed under section 134-31 both in the ordinary  
22 course of business and in times of natural disaster or national



1 emergency. The rules shall require permanent, minimum safety  
2 and security standards for windows, doors, storage areas,  
3 containers, safes, and alarms on a dealer's premises, to be  
4 augmented with additional safeguards to be activated in the  
5 event of a natural disaster or national emergency.

6 (d) Violation of this section or of any rules adopted  
7 hereunder shall be a misdemeanor.

8 (e) For purposes of this section:

9 (1) "National emergency" has the same meaning as in  
10 section 134-34; and

11 (2) "Natural disaster" means damage caused by earthquake,  
12 fire, flood, hurricane, tidal wave, volcanic eruption,  
13 or other natural causes."

14 SECTION 3. Section 134-32, Hawaii Revised Statutes, is  
15 amended to read as follows:

16 **"§134-32 License to sell and manufacture firearms;**

17 **conditions.** Every license issued pursuant to this part shall be  
18 issued and shall be regarded as having been accepted by the  
19 licensee subject to the following conditions:

20 (1) That the licensee at all times shall comply with all  
21 provisions of law relative to the sale of firearms[-];



1        (2) That the licensee shall comply with the requirements  
2        of section 134-        and rules adopted thereunder  
3        relative to the secure storage of firearms and  
4        ammunition;

5        ~~[(+2)]~~ (3) That the license during any time of national  
6        emergency or crisis, as defined in section 134-34, may  
7        be canceled or suspended[-];

8        ~~[(+3)]~~ (4) That all firearms in the possession and control  
9        of any licensee at any time of national emergency or  
10       crisis, as defined in section 134-34, may be seized  
11       and held in possession or purchased by or on the order  
12       of the governor until such time as the national  
13       emergency or crisis has passed, or until such time as  
14       the licensee and the government of the United States  
15       or the government of the State may agree upon some  
16       other disposition of the same[-];

17       ~~[(+4)]~~ (5) That all firearms in the possession and control  
18       of the licensee or registered pursuant to section 134-  
19       3(c) by the licensee shall be subject to physical  
20       inspection by the chief of police of each county  
21       during normal business hours at the licensee's place  
22       of business[-]; and



1        [~~(5)~~] (6)    That the license may be revoked for a violation  
2                            of any of the conditions of this section."

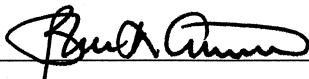


3            SECTION 4.    This Act does not affect rights and duties that  
4 matured, penalties that were incurred, and proceedings that were  
5 begun, before its effective date.

6            SECTION 5.    Statutory material to be repealed is bracketed  
7 and stricken.    New statutory material is underscored.

8            SECTION 6.    This Act shall take effect upon its approval.

9

INTRODUCED BY:

JAN 19 2006



H.B. NO. 1926

**Report Title:**

Firearms; Storage

**Description:**

Requires attorney general to adopt rules setting minimum standards for firearms dealers licensed under section 134-32, HRS, to secure firearms in the ordinary course of business and in the event of a natural disaster. Requires dealers to report theft of a firearm within 24-hours.

