
A BILL FOR AN ACT

RELATING TO FIREARMS.

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

1 SECTION 1. Under Hawaii's existing laws, a person arriving
2 in the State with a firearm is required to register the firearm,
3 but no permit process or background check is required.
4 Therefore, individuals who might have been prohibited from
5 acquiring a firearm in Hawaii can acquire a firearm outside of
6 this State, where a permit process or extensive background check
7 may not be required, then possess and be considered registered
8 firearm owners after registering with the county police
9 department.

10 The purpose of this Act is to require persons arriving in
11 the State with firearms to undergo a background check before
12 registering a firearm with the county police department. In
13 addition, this Act:

14 (1) Appropriates funds for the counties to implement this
15 Act; and

16 (2) Extends the time period for persons bringing a firearm
17 into the State to register the firearm, for



1 consistency with the time period for registering
2 firearms obtained in or imported into the State.

3 SECTION 2. Section 134-3, Hawaii Revised Statutes, is
4 amended as follows:

5 1. By amending subsection (a) to read:

6 "(a) Every person arriving in the State who brings or by
7 any other manner causes to be brought into the State a firearm
8 of any description, whether usable or unusable, serviceable or
9 unserviceable, modern or antique, shall register the firearm
10 within [~~three~~] five days after arrival of the person or of the
11 firearm, whichever arrives later, with the chief of police of
12 the county of the person's place of business or, if there is no
13 place of business, the person's residence or, if there is
14 neither a place of business nor residence, the person's place of
15 sojourn. A nonresident alien may bring firearms not otherwise
16 prohibited by law into the State for a continuous period not to
17 exceed ninety days; provided that the person meets the
18 registration requirement of this section and the person
19 possesses:

20 (1) A valid Hawaii hunting license procured under chapter
21 183D, part II, or a commercial or private shooting
22 preserve permit issued pursuant to section 183D-34;



- 1 (2) A written document indicating the person has been
2 invited to the State to shoot on private land; or
3 (3) Written notification from a firing range or target
4 shooting business indicating that the person will
5 actually engage in target shooting.

6 The nonresident alien shall be limited to a nontransferable
7 registration of not more than ten firearms for the purpose of
8 the above activities.

9 Every person registering a firearm under this subsection
10 shall be fingerprinted and photographed by the police department
11 of the county of registration; provided that this requirement
12 shall be waived where fingerprints and photographs are already
13 on file with the police department. The police department shall
14 perform an inquiry on the person by using the National Instant
15 Criminal Background Check System before any determination to
16 register a firearm is made."

17 2. By amending subsection (e) to read:

18 "(e) No fee shall be charged for the registration[-] of a
19 firearm under this section, except for a fee chargeable by and
20 payable to the registering county for persons registering a
21 firearm under subsection (a), in an amount equal to the fee
22 actually charged by the Federal Bureau of Investigation to the



1 registering police department for a fingerprint check in
2 connection with the registration. In the case of a joint
3 registration, the fee provided for in this section may be
4 charged to each person."

5 SECTION 3. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$ or so much
7 thereof as may be necessary for fiscal year 2013-2014 and the
8 same sum or so much thereof as may be necessary for fiscal year
9 2014-2015 for the implementation of this Act in each county and
10 to be allocated as follows:

- 11 \$ to the city and county of Honolulu;
- 12 \$ to the county of Maui;
- 13 \$ to the county of Hawaii; and
- 14 \$ to the county of Kauai.

15 The sums appropriated shall be expended by the counties for
16 the purposes of this Act.

17 SECTION 4. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 5. This Act shall take effect on July 1, 2013.



Report Title:

Firearm Registration; Appropriation

Description:

Requires county police departments under certain conditions to fingerprint, photograph, and perform background checks on individuals who wish to register a firearm that was procured out-of-state. Authorizes the police departments to assess a fee for conducting a fingerprint check and specifies the amount of the fee. Extends the time period for registering a firearm procured out-of-state, for consistency with the time period for registering firearms obtained in or imported into the State. Appropriates funds for county implementation. Effective July 1, 2013. (SB69 HD1)

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