
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 from the year 2000
2 to the year 2011, the number of permit applications for firearms
3 processed annually in Hawaii grew by 136.9 per cent. In this
4 same time period, the number of firearms registered annually
5 grew by 170.3 per cent. In 2011, 15,357 personal or private
6 firearm permit applications were processed in the State of
7 Hawaii, a 20.1 per cent increase from the previous year.
8 Although Hawaii has an estimated population of only 1,360,000,
9 the attorney general estimates that there are at least one
10 million privately owned firearms in Hawaii.

11 Under Hawaii's existing laws, a person arriving in the
12 State with a firearm is required to register the firearm, but no
13 permit process or background check is required. Therefore,
14 individuals who might have been prohibited from acquiring a
15 firearm in Hawaii can acquire a firearm outside of this State,
16 where a permit process or extensive background check may not be
17 required, then possess and be considered registered firearm
18 owners after registering with the county police department.



1 The purpose of this Act is to require persons arriving in
2 the State with firearms to undergo a background check before
3 registering a firearm with the county police department. This
4 Act further proposes to assist law enforcement in curbing gun
5 violence by appropriating funds to county police departments.
6 The departments may use the funds to offer gun safety education
7 and training, perform extensive background checks if there are
8 mental health concerns for persons wishing to register their
9 guns, or institute gun buy-back programs.

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

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

13 "(a) Every person arriving in the State who brings or by
14 any other manner causes to be brought into the State a firearm
15 of any description, whether usable or unusable, serviceable or
16 unserviceable, modern or antique, shall register the firearm
17 within three days after arrival of the person or of the firearm,
18 whichever arrives later, with the chief of police of the county
19 of the person's place of business or, if there is no place of
20 business, the person's residence or, if there is neither a place
21 of business nor residence, the person's place of sojourn. A
22 nonresident alien may bring firearms not otherwise prohibited by



1 law into the State for a continuous period not to exceed ninety
2 days; provided that the person meets the registration
3 requirement of this section and the person possesses:

4 (1) A valid Hawaii hunting license procured under chapter
5 183D, part II, or a commercial or private shooting
6 preserve permit issued pursuant to section 183D-34;

7 (2) A written document indicating the person has been
8 invited to the State to shoot on private land; or

9 (3) Written notification from a firing range or target
10 shooting business indicating that the person will
11 actually engage in target shooting.

12 The nonresident alien shall be limited to a nontransferable
13 registration of not more than ten firearms for the purpose of
14 the above activities.

15 Every person registering a firearm under this subsection
16 shall be fingerprinted and photographed by the police department
17 of the county of registration; provided that where fingerprints
18 and photographs are already on file with the department, this
19 requirement may be waived. The issuing authority shall perform
20 an inquiry on the person by using the national instant criminal
21 background check system before any determination to register a
22 firearm is made."



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

2 "(e) No fee shall be charged for the registration[-] of a
3 firearm under this section, except for a fee chargeable by and
4 payable to the registering county for persons registering a
5 firearm under subsection (a), in an amount equal to the fee
6 actually charged by the Federal Bureau of Investigation to the
7 registering police department for a fingerprint check in
8 connection with the registration. In the case of a joint
9 registration, the fee provided for in this section may be
10 charged to each person."

11 SECTION 3. There is appropriated out of the general
12 revenues of the State of Hawaii the sum of \$200,000 or so much
13 thereof as may be necessary for fiscal year 2013-2014 and the
14 same sum or so much thereof as may be necessary for fiscal year
15 2014-2015 for the county police departments to establish one or
16 more gun safety programs including:

17 (1) Gun safety education and training for the community;

18 (2) Extensive background checks for mental health concerns
19 for certain individuals wishing to register guns; or

20 (3) Gun buy-back programs that offer cash incentives to
21 gun possessors to forfeit their firearms;

22 to be allocated as follows:



1 \$80,000 to the Honolulu police department;
2 \$40,000 to the Maui police department;
3 \$40,000 to the Hawaii police department; and
4 \$40,000 to the Kauai police department;

5 provided that there shall be no amnesty for persons
6 participating in a gun buy-back program if the gun was used in
7 the commission of a crime.

8 The sums appropriated shall be expended by the counties for
9 the purposes of this Act.

10 SECTION 4. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

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

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Report Title:

Gun Safety and Education; Appropriation

Description:

Requires county police departments 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. Appropriates funds to the county police departments to develop gun safety programs, including offering gun safety education and training; performing extensive background checks for mental health concerns for certain individuals wishing to register guns; and initiating a gun buy-back program. (SD1)

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