

JAN 23 2014

A BILL FOR AN ACT

RELATING TO MENTAL HEALTH.

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

1 SECTION 1. Chapter 134, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:

4 "§134- Medical clearance. (a) Any individual applying
5 for a permit to acquire the ownership of a firearm shall
6 provide, as part of the permit application, a medical clearance
7 by the individual's primary care physician or psychiatrist who
8 has examined the applicant no more than ninety days prior to
9 submission of the application. The primary care physician or
10 psychiatrist shall provide a medical clearance for any
11 individual who has no diagnosis, as of the time of the
12 examination, of any medical condition that could make the
13 individual a danger to self or a danger to others.

14 (b) For the purposes of this section:

15 "Danger to others" means a serious threat or attempt to
16 injure another person with the use of a firearm or other
17 dangerous or deadly weapon.



1 "Danger to self" means a serious threat of, or attempted,
2 suicide with the use of a firearm or other dangerous or deadly
3 weapon.

4 "Primary care physician" means a licensed physician who
5 practices internal medicine, family practice, or pediatrics, and
6 is designated by the patient as a primary care physician to the
7 patient's insurance provider."

8 SECTION 2. Section 134-2, Hawaii Revised Statutes, is
9 amended by amending subsection (b) to read as follows:

10 "(b) The permit application form shall include the
11 applicant's name, address, sex, height, weight, date of birth,
12 place of birth, country of citizenship, social security number,
13 alien or admission number, [~~and~~] information regarding the
14 applicant's mental health history, and medical clearance as
15 required by section 134- , and shall require the fingerprinting
16 and photographing of the applicant by the police department of
17 the county of registration; provided that where fingerprints and
18 photograph are already on file with the department, these may be
19 waived."

20 SECTION 3. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.

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S.B. NO. 2957

1 SECTION 4. This Act shall take effect on January 1, 2015.

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S.B. NO. 2957

Report Title:

Mental Health; Medical Clearance; Firearms

Description:

Requires individuals applying for a permit to acquire a firearm to be cleared by the individual's primary care physician or psychiatrist. Requires the primary care physician or psychiatrist to clear any individual who has no current diagnosis of any medical condition that could make the individual a threat to self or others. Effective 1/1/2015.

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