

Honolulu, Hawaii

MAR 04 2016

RE: S.B. No. 2955
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 2955 entitled:

"A BILL FOR AN ACT RELATING TO FIREARMS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize the chief of police of the respective counties to issue permits to acquire firearms to permanent resident aliens age twenty-one years or more;
- (2) Repeal the authority of the chief of police of the respective counties to issue firearm permits to acquire firearms to aliens who are state law enforcement officers, aliens with a hunting license age eighteen years or more for use of rifles and shotguns, aliens age twenty-one years or more for a specific organized sport-shooting contest, and spouses jointly;
- (3) Require the issuing authority for firearm permits to perform an inquiry on an applicant using the Criminal Justice Information System, National Law Enforcement Telecommunications System including the United States Immigration and Customs Enforcement query therein, National Crime Information Center, and National Instant Criminal Background Check System; and



- (4) Authorize a county issuing a firearm permit to charge a single fee chargeable by and payable to the issuing county, for individuals applying for their first permit, in an amount equal to the fee charged by the Hawaii Criminal Justice Data Center.

Your Committee received testimony in support of this measure from the Police Department, City and County of Honolulu; and twenty-nine individuals. Your Committee received testimony in opposition to this measure from the National Rifle Association and five individuals. Your Committee received comments on this measure from the Department of the Attorney General and one individual.

Your Committee finds that criminal background checks of firearm applicants are critical to ensure the safety of the community. Implementation of this measure will further public safety by clarifying the background check process and allowing county police departments to enroll firearm applicants into the rap back program, which will provide a mechanism to alert a county police department when the owner of a firearm is arrested for a criminal offense anywhere in the country. This notification will allow the county police departments to evaluate whether the firearm owner may continue to legally possess and own firearms.

Your Committee has amended this measure by:

- (1) Replacing "rap back system" with "rap back program";
- (2) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2955, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2955, S.D. 1, and be placed on the calendar for Third Reading.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



GILBERT S.C. KEITH-AGARAN, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB 2955	Committee Referral: JDL	Date: 3/1/16		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)	/			
SHIMABUKURO, Maile S.L. (VC)	/			
GABBARD, Mike				/
KAHELE, Kaiali'i				/
KIM, Donna Mercado				/
THIELEN, Laura H.	/			
SLOM, Sam	/			
TOTAL	4			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align: center; margin-top: 10px;"> </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes