



EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

June, 29, 2017

**GOV. MSG. NO. 1164**

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Twenty-Ninth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,  
Speaker and Members of the  
House of Representatives  
Twenty-Ninth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June, 29, 2017, the following bill was signed into law:

HB459 HD1 SD1 CD1

RELATING TO FIREARMS  
**ACT 063 (17)**

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

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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. Section 134-2, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§134-2 Permits to acquire. (a) No person shall acquire  
4 the ownership of a firearm, whether usable or unusable,  
5 serviceable or unserviceable, modern or antique, registered  
6 under prior law or by a prior owner or unregistered, either by  
7 purchase, gift, inheritance, bequest, or in any other manner,  
8 whether procured in the State or imported by mail, express,  
9 freight, or otherwise, until the person has first procured from  
10 the chief of police of the county of the person's place of  
11 business or, if there is no place of business, the person's  
12 residence or, if there is neither place of business nor  
13 residence, the person's place of sojourn, a permit to acquire  
14 the ownership of a firearm as prescribed in this section. When  
15 title to any firearm is acquired by inheritance or bequest, the  
16 foregoing permit shall be obtained before taking possession of a  
17 firearm; provided that upon presentation of a copy of the death  
18 certificate of the owner making the bequest, any heir or legatee



1 may transfer the inherited or bequested firearm directly to a  
2 dealer licensed under section 134-31 or licensed by the United  
3 States Department of Justice without complying with the  
4 requirements of this section.

5 (b) The permit application form shall include the  
6 applicant's name, address, sex, height, weight, date of birth,  
7 place of birth, country of citizenship, social security number,  
8 alien or admission number, and information regarding the  
9 applicant's mental health history and shall require the  
10 fingerprinting and photographing of the applicant by the police  
11 department of the county of registration; provided that where  
12 fingerprints and a photograph are already on file with the  
13 department, these may be waived.

14 (c) An applicant for a permit shall sign a waiver at the  
15 time of application, allowing the chief of police of the county  
16 issuing the permit access to any records that have a bearing on  
17 the mental health of the applicant. The permit application form  
18 and the waiver form shall be prescribed by the attorney general  
19 and shall be uniform throughout the State.

20 (d) The chief of police of the respective counties may  
21 issue permits to acquire firearms to citizens of the United



1 States of the age of twenty-one years or more, or duly  
2 accredited official representatives of foreign nations, or duly  
3 commissioned law enforcement officers of the State who are  
4 aliens; provided that any law enforcement officer who is the  
5 owner of a firearm and who is an alien shall transfer ownership  
6 of the firearm within forty-eight hours after termination of  
7 employment from a law enforcement agency. The chief of police  
8 of each county may issue permits to aliens of the age of  
9 eighteen years or more for use of rifles and shotguns for a  
10 period not exceeding sixty days, upon a showing that the alien  
11 has first procured a hunting license under chapter 183D, part  
12 II. The chief of police of each county may issue permits to  
13 aliens of the age of twenty-one years or more for use of  
14 firearms for a period not exceeding six months, upon a showing  
15 that the alien is in training for a specific organized sport-  
16 shooting contest to be held within the permit period. The  
17 attorney general shall adopt rules, pursuant to chapter 91, as  
18 to what constitutes sufficient evidence that an alien is in  
19 training for a sport-shooting contest. Notwithstanding any  
20 ~~[provision of the]~~ law to the contrary and upon joint  
21 application, the chief of police may issue permits to acquire



1 firearms jointly to spouses who otherwise qualify to obtain  
2 permits under this section.

3 (e) The permit application form shall be signed by the  
4 applicant and by the issuing authority. One copy of the permit  
5 shall be retained by the issuing authority as a permanent  
6 official record. Except for sales to dealers licensed under  
7 section 134-31, or dealers licensed by the United States  
8 Department of Justice, or law enforcement officers, or where a  
9 license is granted under section 134-9, or where any firearm is  
10 registered pursuant to section 134-3(a), no permit shall be  
11 issued to an applicant earlier than fourteen calendar days after  
12 the date of the application; provided that a permit shall be  
13 issued or the application denied before the twentieth day from  
14 the date of application. Permits issued to acquire any pistol  
15 or revolver shall be void unless used within ten days after the  
16 date of issue. Permits to acquire a pistol or revolver shall  
17 require a separate application and permit for each transaction.  
18 Permits issued to acquire any rifle or shotgun shall entitle the  
19 permittee to make subsequent purchases of rifles or shotguns for  
20 a period of one year from the date of issue without a separate  
21 application and permit for each acquisition, subject to the



1 disqualifications under section 134-7 and subject to revocation  
2 under section 134-13; provided that if a permittee is arrested  
3 for committing a felony or any crime of violence or for the  
4 illegal sale of any drug, the permit shall be impounded and  
5 shall be surrendered to the issuing authority. The issuing  
6 authority shall perform an inquiry on an applicant by using the  
7 International Justice and Public Safety Network, including the  
8 United States Immigration and Customs Enforcement query, the  
9 National Crime Information Center, and the National Instant  
10 Criminal Background Check System, pursuant to section 846-2.7  
11 before any determination to issue a permit or to deny an  
12 application is made.

13 (f) In all cases where a pistol or revolver is acquired  
14 from another person within the State, the permit shall be signed  
15 in ink by the person to whom title to the pistol or revolver is  
16 transferred and shall be delivered to the person who is  
17 transferring title to the firearm, who shall verify that the  
18 person to whom the firearm is to be transferred is the person  
19 named in the permit and enter on the permit in the space  
20 provided the following information: name of the person to whom  
21 the title to the firearm was transferred; names of the



1 manufacturer and importer; model; type of action; caliber or  
2 gauge; and serial number, as applicable. The person who is  
3 transferring title to the firearm shall sign the permit in ink  
4 and cause the permit to be delivered or sent by registered mail  
5 to the issuing authority within forty-eight hours after  
6 transferring the firearm.

7 In all cases where receipt of a firearm is had by mail,  
8 express, freight, or otherwise from sources without the State,  
9 the person to whom the permit has been issued shall make the  
10 prescribed entries on the permit, sign the permit in ink, and  
11 cause the permit to be delivered or sent by registered mail to  
12 the issuing authority within forty-eight hours after taking  
13 possession of the firearm.

14 In all cases where a rifle or shotgun is acquired from  
15 another person within the State, the person who is transferring  
16 title to the rifle or shotgun shall submit, within forty-eight  
17 hours after transferring the firearm, to the authority ~~which~~  
18 that issued the permit to acquire, the following information, in  
19 writing: name of the person who transferred the firearm, name  
20 of the person to whom the title to the firearm was transferred;



1 names of the manufacturer and importer; model; type of action;  
2 caliber or gauge; and serial number, as applicable.

3 (g) Effective July 1, 1995, no person shall be issued a  
4 permit under this section for the acquisition of a pistol or  
5 revolver unless the person, at any time prior to the issuance of  
6 the permit, has completed:

7 (1) An approved hunter education course as authorized  
8 under section 183D-28;

9 (2) A firearms safety or training course or class  
10 available to the general public offered by a law  
11 enforcement agency of the State or of any county;

12 (3) A firearms safety or training course offered to law  
13 enforcement officers, security guards, investigators,  
14 deputy sheriffs, or any division or subdivision of law  
15 enforcement or security enforcement by a state or  
16 county law enforcement agency; or

17 (4) A firearms training or safety course or class  
18 conducted by a state certified or National Rifle  
19 Association certified firearms instructor or a  
20 certified military firearms instructor that provides,  
21 at a minimum, a total of at least two hours of firing





1 training at a firing range and a total of at least  
2 four hours of classroom instruction, which may include  
3 a video, that focuses on:

4 (A) The safe use, handling, and storage of firearms  
5 and firearm safety in the home; and

6 (B) Education on the firearm laws of the State.

7 An affidavit signed by the certified firearms  
8 instructor who conducted or taught the course,  
9 providing the name, address, and phone number of the  
10 instructor and attesting to the successful completion  
11 of the course by the applicant shall constitute  
12 evidence of certified successful completion under this  
13 paragraph.

14 (h) No person shall sell, give, lend, or deliver into the  
15 possession of another any firearm except in accordance with this  
16 chapter.

17 (i) No fee shall be charged for permits, or applications  
18 for permits, under this section, except for a single fee  
19 chargeable by and payable to the issuing county, for individuals  
20 applying for their first permit, in an amount equal to the fee  
21 charged by the Hawaii criminal justice data center pursuant to



1 section 846-2.7. In the case of a joint application, the fee  
2 provided for in this section may be charged to each person to  
3 whom no previous permit has been issued.

4 (j) In all cases where a permit application under this  
5 section is denied because an applicant is prohibited from  
6 owning, possessing, receiving, or controlling firearms under  
7 federal or state law, the chief of police of the applicable  
8 county shall, within ten business days from the date of denial,  
9 send written notice of the denial including the identity of the  
10 applicant and the reasons for the denial to the:

- 11 (1) Prosecuting attorney in the county where the permit  
12 was denied;
- 13 (2) Attorney general;
- 14 (3) United States Attorney for the District of Hawaii; and
- 15 (4) Director of public safety.

16 If the permit to acquire was denied because the applicant  
17 is subject to an order described in section 134-7(f), the chief  
18 of police shall, within three business days from the date of  
19 denial, send written notice of the denial to the court that  
20 issued the order.



1        When the director of public safety receives notice that an  
2        applicant has been denied a permit because of a prior criminal  
3        conviction, the director of public safety shall determine  
4        whether the applicant is currently serving a term of probation  
5        or parole, and if the applicant is serving such a term, send  
6        written notice of the denial to the applicant's probation or  
7        parole officer."

8        SECTION 2. Statutory material to be repealed is bracketed  
9        and stricken. New statutory material is underscored.

10       SECTION 3. This Act shall take effect upon its approval.

APPROVED this 29 day of JUN , 2017



GOVERNOR OF THE STATE OF HAWAII

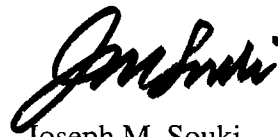


HB No. 459, HD 1, SD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 2, 2017  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2017.



Joseph M. Souki  
Speaker  
House of Representatives




Brian L. Takeshita  
Chief Clerk  
House of Representatives

**THE SENATE OF THE STATE OF HAWAII**

Date: May 2, 2017  
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the  
Senate of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2017.

  
President of the Senate

  
Clerk of the Senate