

Honolulu, Hawaii

MAR 03 2017

RE: S.B. No. 1037  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred  
S.B. No. 1037, S.D. 1, 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) Require the firearms permit issuing authority to notify the prosecuting attorney of the county of the issuing authority, the United States Attorney's Office in Hawaii, and the Department of Public Safety if an applicant is denied a permit because the applicant is prohibited from owning, possessing, receiving, or controlling a firearm under federal or state law;
- (2) Require the firearms permit issuing authority to notify the court that issued a protective or restraining order on an applicant, as applicable, upon notification of a permit denial; and
- (3) Require the Department of Public Safety to notify the probation or parole officer of an applicant, if applicable, upon notification of a permit denial.

Your Committee received testimony in support of this measure from the Judiciary, American Medical Response, Keiki Injury



Prevention Coalition, Everytown for Gun Safety, Hawai'i Friends of Civil Rights, and twenty-four individuals.

Your Committee finds that a robust regulatory framework for firearm ownership is essential to protecting the public health, safety, and welfare. Such a regulatory framework should include identification of individuals who attempt to apply for and are denied a permit because they are prohibited from owning, possessing, receiving, or controlling a firearm under federal or state law.

Your Committee has amended this measure by:

- (1) Requiring the firearm permit issuing authority to notify the prosecuting attorney of the county of the issuing authority, the United States Attorney's Office in Hawaii, and the Department of Public Safety within ten business days of the date of denial; and
- (2) Requiring the firearm permit issuing authority to notify the court that issued a protective or restraining order on an applicant within three business days of the date of denial.

Your Committee notes that it has concerns regarding the impact of this measure on the various agencies and the actions that the agencies will take after receiving notification.

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. 1037, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1037, S.D. 2.




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

  
GILBERT S.C. KEITH-AGARAN, Chair



The Senate  
Twenty-Ninth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:* <b>SB 1037 SD1</b>	Committee Referral: <b>PSM/GVO, JDL</b>	Date: <b>3/1/17</b>		
<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)	/			
RHOADS, Karl (VC)				/
GABBARD, Mike				/
KIM, Donna Mercado	/			
THIELEN, Laura H.	/			
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:     Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes