
A BILL FOR AN ACT

RELATING TO GUN VIOLENCE PREVENTION.

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

1 SECTION 1. The legislature finds that gun violence is a
2 significant public health and public safety problem.
3 Nationwide, there are thirty thousand deaths related to gun
4 violence annually, and the economic cost of gun violence was
5 estimated at \$229,000,000,000 in 2012.

6 The legislature further finds that the tragic spike in
7 well-publicized mass shootings of recent years accounts for less
8 than one per cent of all gun violence. Across the nation, rates
9 of fatal gun violence have remained essentially unchanged for
10 more than a decade, as declines in homicide have been offset by
11 increases in suicide. Suicide is the leading cause of fatal
12 injury in Hawaii, with one person dying by suicide every two
13 days. Twenty per cent of these deaths involve a gun.

14 The legislature further finds that too little is known
15 about gun violence and its prevention. This is due to a dire
16 lack of research. In 1996, Congress passed the Dickey



1 Amendment, with a provision which prevents the use of federal
2 money for gun violence research and prevention.

3 As a result of this effective ban on gun violence research,
4 funding for gun violence prevention research has declined
5 dramatically. According to a study published in the Journal of
6 the American Medical Association, between 2004 and 2015,
7 research related to gun violence was substantially underfunded
8 and understudied compared with other leading causes of death.
9 The study said that the \$22,000,000 spent on gun violence
10 research represented only a paltry 1.6 per cent of the
11 \$1,400,000,000 in funding that would be predicted based on the
12 number of deaths caused by guns.

13 Since the federal government has halted research relating
14 to gun violence, both the federal and state governments lack the
15 capacity to analyze data to track black market guns used in
16 crimes and develop evidence-based policies that can save lives.

17 The purpose of this Act is to prevent gun violence and save
18 lives by establishing the Hawaii gun violence prevention center
19 within the University of Hawaii with a mission to analyze and
20 develop strategies to prevent gun violence in Hawaii.



1 SECTION 2. Chapter 304A, Hawaii Revised Statutes, is
2 amended by adding a new subpart to part IV to be appropriately
3 designated and to read as follows:

4 " . Hawaii Gun Violence Prevention Center

5 §304A-A Hawaii gun violence prevention center;

6 established. (a) There is established within the University of
7 Hawaii the Hawaii gun violence prevention center. The center
8 shall be directed and managed by an administrator appointed by
9 the president of the University of Hawaii subject to chapter 76.

10 (b) The Hawaii gun violence prevention center shall
11 conduct research and analysis of gun-related violence and its
12 prevention, assist law enforcement, and make recommendations for
13 prevention of gun-related violence. The interdisciplinary work
14 of the center shall address the following:

15 (1) The nature of gun violence, including individual and
16 societal determinants of risk for involvement in gun
17 violence, whether as a victim or a perpetrator;

18 (2) The individual, community, and societal consequences
19 of gun violence; and

20 (3) Prevention and treatment of gun violence at the
21 individual, community, and societal levels.



1 (c) The Hawaii gun violence prevention center shall
2 conduct basic, translational, and transformative research with a
3 mission to generate scientific evidence on which sound gun
4 violence prevention policies and programs can be based. Its
5 research shall include but not be limited to the effectiveness
6 of existing laws and policies intended to reduce gun violence,
7 including the criminal misuse of guns, and efforts to promote
8 the responsible ownership and use of guns.

9 (d) The Hawaii gun violence prevention center may
10 coordinate with other institutions working on this issue.

11 (e) The Hawaii gun violence prevention center shall work
12 on a continuing basis with the State and counties to identify,
13 implement, and evaluate innovative gun violence prevention
14 policies and programs.

15 (f) To help ensure a long-term and successful effort to
16 understand and prevent gun violence, the Hawaii gun violence
17 prevention center may recruit and provide specialized training
18 opportunities for staff members.

19 (g) As a supplement to its own research, the Hawaii gun
20 violence prevention center may administer a grant program for
21 research on gun violence. All research funds shall be awarded



1 on a basis of scientific merit as determined by an open,
2 competitive peer review process that assures objectivity,
3 consistency, and high quality. All qualified investigators,
4 regardless of institutional affiliation, shall have equal access
5 and opportunity to compete for the funds.

6 (h) The peer review process for the selection of grants
7 awarded by the Hawaii gun violence prevention center shall be
8 modeled on the process used by the National Institutes of Health
9 in its grantmaking process.

10 (i) The Hawaii gun violence prevention center shall submit
11 an annual report to the governor and the legislature on its
12 research and findings, program accomplishments, and future
13 direction of the program. The report shall include a financial
14 report on the center's expenditures, grants made, and pending
15 grants.

16 (j) State agencies and entities, including but not limited
17 to the department of the attorney general, department of health,
18 department of public safety, department of defense, and
19 department of human services, shall cooperate with the
20 University of Hawaii and Hawaii gun violence prevention center



1 and shall provide to the center, upon proper request, the data
2 necessary for the center to conduct its research.

3 (k) The Hawaii gun violence prevention center and all
4 recipients of grants shall provide copies of their research
5 publications to the governor, the legislature, and agencies
6 supplying data used in the conduct of that research as soon as
7 is practicable following publication.

8 §304A-B Hawaii gun violence prevention center special
9 fund. (a) There is established in the state treasury a special
10 fund to be designated as the Hawaii gun violence prevention
11 center special fund to carry out the purposes of the center.
12 The following moneys shall be deposited into the Hawaii gun
13 violence prevention center special fund:

14 (1) Appropriations made by the legislature for deposit
15 into the special fund;

16 (2) Donations and contributions made by private
17 individuals or organizations;

18 (3) Proceeds from forfeitures pursuant to chapter 712A;

19 and



1 (4) Grants provided by governmental agencies or any other
2 source, except for funds that may not be used for the
3 purposes of the special fund pursuant to federal law.

4 (b) The Hawaii gun violence prevention center special fund
5 may be used by the Hawaii gun violence prevention center for one
6 or more of the following purposes:

7 (1) Planning, designing, developing, implementing, and
8 reporting on gun violence prevention policies pursuant
9 to this subpart;

10 (2) Providing grants to nongovernmental organizations for
11 gun violence prevention in projects subject to this
12 subpart; and

13 (3) Administrative costs."

14 SECTION 3. Section 712A-16, Hawaii Revised Statutes, is
15 amended by amending subsection (4) to read as follows:

16 "(4) There is established in the department of the
17 attorney general a revolving fund to be known as the criminal
18 forfeiture fund, hereinafter referred to as the "fund" in which
19 shall be deposited one-half of the proceeds of a forfeiture and
20 any penalties paid pursuant to section 712A-10(6). All moneys



1 in the fund shall be expended by the attorney general and are
2 appropriated for the following purposes:

- 3 (a) The payment of any expenses necessary to seize,
4 detain, appraise, inventory, safeguard, maintain,
5 advertise, or sell property seized, detained, or
6 forfeited pursuant to this chapter or of any other
7 necessary expenses incident to the seizure, detention,
8 or forfeiture of such property and such contract
9 services and payments to reimburse any federal, state,
10 or county agency for any expenditures made to perform
11 the foregoing functions;
- 12 (b) The payment of awards for information or assistance
13 leading to a civil or criminal proceeding;
- 14 (c) The payment of supplemental sums to state and county
15 agencies for law enforcement purposes;
- 16 (d) The payment of expenses arising in connection with
17 programs for training and education of law enforcement
18 officers;
- 19 (e) The payment of expenses arising in connection with
20 enforcement pursuant to the drug nuisance abatement
21 unit in the department of the attorney general; and



1 (f) The payment of expenses arising in connection with the
 2 law enforcement officer independent review board in
 3 the department of the attorney general[-];
 4 provided that the attorney general may use moneys in the fund
 5 for deposit into the Hawaii gun violence prevention center
 6 special fund established pursuant to section 304A-B."

7 SECTION 4. There is appropriated out of the general
 8 revenues of the State of Hawaii the sum of \$ or so
 9 much thereof as may be necessary for fiscal year 2019-2020 and
 10 the same sum or so much thereof as may be necessary for fiscal
 11 year 2020-2021 to be deposited into the Hawaii gun violence
 12 prevention center special fund to carry out the purposes of this
 13 Act.

14 SECTION 5. There is appropriated out of the gun violence
 15 prevention center special fund the sum of \$ or so much
 16 thereof as may be necessary for fiscal year 2019-2020 and the
 17 same sum or so much thereof as may be necessary for fiscal year
 18 2020-2021 for the establishment of three or more full-time
 19 permanent positions to carry out the provisions of this Act.

20 The sums appropriated shall be expended by the University
 21 of Hawaii for the purposes of this Act.



1 SECTION 6. In codifying the new sections added by section
2 2 of this Act, the revisor of statutes shall substitute
3 appropriate section numbers for the letters used in designating
4 the new sections in this Act.

5 SECTION 7. New statutory material is underscored.

6 SECTION 8. This Act shall take effect on July 1, 2050.



Report Title:

Gun Violence Prevention; Research; Appropriation; Special Fund

Description:

Establishes the Hawaii Gun Violence Prevention Center within the University of Hawaii to research strategies to prevent gun violence. Creates a special fund to support the Center. Appropriates funds. Effective 7/1/2050. (SD1)

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