
A BILL FOR AN ACT

RELATED TO CONCEALED CARRY REFORM.

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

1 SECTION 1. The legislature finds there has been a recent
2 increase in high profile crimes involving firearms. 2016
3 statistics showed Hawaii had the second largest increase in
4 firearm crime in the nation at twenty-four per cent. The Federal
5 Bureau of Investigation's Uniform Crime Report shows that
6 violent crime continues to steadily increase in Hawaii.

7 The legislature finds citizens are increasingly concerned
8 about protecting themselves from becoming victims of violent
9 crime. According to the attorney general, Hawaii experienced a
10 9.9 per cent increase in gun ownership in 2017. The number of
11 statewide firearm permit applications processed increased by
12 178.5 per cent from 2000 to 2018. During the same period the
13 number of registered firearms increased by 216 per cent.

14 Owning a gun affords a method of self-defense and
15 protection in the home; however current law prohibits lawful gun
16 owners from carrying their weapon on their person without a
17 conceal carry permit. No concealed carry permit has been issued



1 to a Hawai'i resident in the last seven years. As a result, the
2 option of self-protection via a firearm is available only in
3 very limited circumstances.

4 The legislature further finds only four concealed carry
5 permits have been issued since the year 2000. The application
6 process for obtaining a conceal carry permit requires the
7 applicant to show a legitimate fear of injury to person or
8 property. The chief of police has discretion to approve or deny
9 applications for a conceal carry permit. There are numerous
10 protection orders filed each year. It is not plausible that
11 only four people have demonstrated a legitimate fear of injury,
12 therefore the discretionary portion of the application process
13 is not serving its intended purpose.

14 The legislature finds that discretionary approval of the
15 conceal carry permit by the chief of police infringes upon one's
16 constitutional right to self-defense and to bear arms. The
17 purpose of this Act is to require approval of a conceal carry
18 permit application when the applicant has met the requirements
19 for the permit.

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



1 "§134-9 Licenses to carry. (a) In an exceptional case, when
2 an applicant shows reason to fear injury to the applicant's
3 person or property ~~[,]~~ and has completed the application process
4 and all required training, the chief of police of the
5 appropriate county ~~[may]~~ shall grant a license to an applicant
6 who is a citizen of the United States of the age of twenty-one
7 years or more or to a duly accredited official representative of
8 a foreign nation of the age of twenty-one years or more to carry
9 a pistol or revolver and ammunition therefor concealed on the
10 person within the county where the license is granted. Where the
11 urgency or the need has been sufficiently indicated, the
12 respective chief of police ~~[may]~~ shall grant to an applicant of
13 good moral character who is a citizen of the United States of
14 the age of twenty-one years or more, is engaged in the
15 protection of life and property, and is not prohibited under
16 section 134-7 from the ownership or possession of a firearm, a
17 license to carry a pistol or revolver and ammunition therefor
18 unconcealed on the person within the county where the license is
19 granted. The chief of police of the appropriate county, or the
20 chief's designated representative, shall perform an inquiry on
21 an applicant by using the National Instant Criminal Background



1 Check System, to include a check of the Immigration and Customs
2 Enforcement databases where the applicant is not a citizen of
3 the United States, before any determination to grant a license
4 is made. Unless renewed, the license shall expire one year from
5 the date of issue.

6 SECTION 3. Section 134-9, Hawaii Revised Statutes, is
7 amended by amending subsection (c) to read as follows:

8 "§134-9 Licenses to carry. (c) No person shall carry
9 concealed or unconcealed on the person a pistol or revolver
10 without being licensed to do so under this section or in
11 compliance with sections 134-5(c) or 134-25. In order to obtain
12 a license a person must:

13 (1) Accumulate a minimum of _____ hours of instruction
14 from a certified instructor regarding the proper use of fire
15 arms.

16 (2) Undergo a minimum of _____ hours of live training under
17 the supervision of an authorized official.

18 (3) Complete a written exam.

19 Licenses must be renewed every three years.



1 (d) A fee of \$10 shall be charged for each license and
2 shall be deposited in the treasury of the county in which the
3 license is granted. "

4 SECTION 4. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 5. This Act shall take effect upon its approval.

INTRODUCED BY: *RCment*

JAN 21 2020



H.B. NO. 2229

Report Title:

Concealed Carry Reform

Description:

Amends concealed carry statute to align with constitutional law. Add more rigorous training measures for licensed concealed carry residents.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

