

JAN 24 2019

A BILL FOR AN ACT

RELATED TO FIREARMS.

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

1 SECTION 1. The legislature finds that existing state law
2 does not adequately address situations relating to the issuance
3 of licenses to carry open or concealed firearms to individuals
4 not employed as security guards by authorized security
5 companies. The inherent dangers of public firearm use by
6 private citizens without instruction in the laws governing
7 firearm use and practical firearms training are significant.

8 The legislature further finds that a private citizen who is
9 licensed to carry a firearm and does so may incur liability not
10 only for damages to a victim of that use but also may incur
11 significant costs in defending the citizen's own use of the
12 firearm. Thus, the purpose of this Act is to:

13 (1) Mitigate these dangers by requiring training and
14 instruction to those individuals who are not employed
15 as security guards by authorized security companies
16 and who are granted licenses to carry firearms;



1 (2) Require those individuals to obtain firearms
2 insurance, commonly referred to as "self-defense
3 insurance", to assist in covering potential liability
4 and defense costs; and

5 (3) Apply the existing concealed carry license law to the
6 open carry of firearms as well.

7 SECTION 2. Section 134-9, Hawaii Revised Statutes, is
8 amended by amending subsection (b) to read as follows:

9 "(b) The chief of police of each county shall adopt
10 procedures to require that any person granted a license to carry
11 [a] an open or concealed [weapon] firearm on the person shall:

12 (1) Be qualified to use the firearm in a safe manner[+] by
13 successful completion of a course of instruction and
14 firearm qualification test determined by the chief of
15 police of the county within which the license to carry
16 is issued;

17 (2) Appear to be a suitable person to be so licensed;

18 (3) Not be prohibited under section 134-7 from the
19 ownership or possession of a firearm; [~~and~~]

20 (4) Not have been adjudged insane or not appear to be
21 mentally deranged[-]; and



1 (5) Have provided the chief of police with proof of valid
2 firearms or self-defense insurance after notification
3 of approval of the license but prior to issuance of
4 the license."

5 SECTION 3. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: Clarence K. Nishihara B/R



S.B. NO. 1318

Report Title:

Open or Concealed Firearms; Firearms Insurance; Firearms Education and Training; Self-defense Insurance; License

Description:

Requires the chiefs of police to adopt procedures to: require that any person granted a license to carry an open or concealed firearm be qualified to use the firearm in a safe manner by successful completion of a course of instruction and firearm qualification test; and require that any person who has been approved for a license to carry an open or concealed firearm, who is not employed as a security guard by an authorized security company, show proof of valid firearms or self-defense insurance prior to being issued the license.

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

