

JAN 17 2020

A BILL FOR AN ACT

RELATING TO FIREARMS.

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

1 SECTION 1. The legislature notes that under Hawaii's
2 firearms permitting laws, permits to acquire rifles and shotguns
3 remain in effect for one year from the date of issuance. The
4 legislature finds that the duration of the permit's validity
5 effectively allows the permit holder to acquire as many rifles
6 and shotguns as the permit holder desires, without undergoing
7 any additional or follow-up background checks. This may result
8 in a situation where a permit holder who has become ineligible
9 to purchase firearms subsequent to the permit's issuance is
10 still able to do so with the previously issued permit that
11 remains in effect.

12 The legislature finds this situation to be unacceptable.
13 The legislature believes that the permitting procedure for
14 acquiring rifles and shotguns should align with the procedure
15 for revolvers and pistols, which involves much shorter time
16 frames.

17 Accordingly, the purpose of this Act is to:



1 (1) Require a separate application and permit for the
2 acquisition of each rifle or shotgun and shorten the
3 duration of the permit's validity from one year to ten
4 days; and

5 (2) Amend section 463-10.5, Hawaii Revised Statutes, which
6 requires an armed security guard to possess a valid
7 permit to acquire a firearm, to instead require the
8 possession of a valid license to carry a firearm.

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

11 "(e) The permit application form shall be signed by the
12 applicant and by the issuing authority. One copy of the permit
13 shall be retained by the issuing authority as a permanent
14 official record. Except for sales to dealers licensed under
15 section 134-31, or dealers licensed by the United States
16 Department of Justice, or law enforcement officers, or where a
17 license is granted under section 134-9, or where any firearm is
18 registered pursuant to section 134-3(a), no permit shall be
19 issued to an applicant earlier than fourteen calendar days after
20 the date of the application; provided that a permit shall be
21 issued or the application denied before the twentieth day from



1 the date of application. Permits issued to acquire any pistol
2 ~~[or]~~, revolver, rifle, or shotgun shall be void unless used
3 within ten days after the date of issue. Permits to acquire a
4 pistol ~~[or]~~, revolver, rifle, or shotgun shall require a
5 separate application and permit for each transaction. ~~[Permits~~
6 ~~issued to acquire any rifle or shotgun shall entitle the~~
7 ~~permittee to make subsequent purchases of rifles or shotguns for~~
8 ~~a period of one year from the date of issue without a separate~~
9 ~~application and permit for each acquisition, subject to the~~
10 ~~disqualifications under section 134-7 and subject to revocation~~
11 ~~under section 134-13; provided that if a permittee is arrested~~
12 ~~for committing a felony or any crime of violence or for the~~
13 ~~illegal sale of any drug, the permit shall be impounded and~~
14 ~~shall be surrendered to the issuing authority.] The issuing~~
15 authority shall perform an inquiry on an applicant by using the
16 International Justice and Public Safety Network, including the
17 United States Immigration and Customs Enforcement query, the
18 National Crime Information Center, and the National Instant
19 Criminal Background Check System, pursuant to section 846-2.7
20 before any determination to issue a permit or to deny an
21 application is made."



1 SECTION 3. Section 463-10.5, Hawaii Revised Statutes, is
2 amended by amending subsection (e) to read as follows:

3 "(e) Before beginning employment as a guard or in a guard
4 capacity, in addition to the classroom instruction required by
5 this section, guards and individuals acting in a guard capacity
6 who carry a firearm or other weapon, including but not limited
7 to an electric gun as defined in section 134-1, while on-duty in
8 a guard capacity shall possess a valid [~~permit to acquire the~~
9 ~~ownership of a~~] license to carry a firearm issued by county
10 police pursuant to [~~section 134-2~~] procedures established by
11 each county police department under section 134-9 and shall
12 satisfy the safety and suitability requirements of section
13 [~~134-2(g).~~] 134-9(b)."

14 SECTION 4. This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that were
16 begun before its effective date.

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



S.B. NO. 2152

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

2

INTRODUCED BY: _____
By Request *Am. M.*



S.B. NO. 2152

Report Title:

Honolulu Police Department Package; Firearms; Permits to Acquire; Rifles; Shotguns

Description:

Requires a separate application and permit for the acquisition of each rifle or shotgun and shortens the duration of the permit's validity from 1 year to 10 days.

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

