

JAN 23 2020

A BILL FOR AN ACT

RELATING TO FIREARM REGISTRATION.

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

1 SECTION 1. The legislature finds that the State has some
2 of the strongest gun safety laws in the nation. However, based
3 on the recent report by the legislative research bureau on
4 statistical data relating to firearms, there is no accurate data
5 on the number of firearms in the State. This is in part because
6 currently there is no reporting mechanism for the firearms that
7 are moved out of the State, only for those being transferred
8 into the State.

9 The purpose of this Act is to amend the firearm
10 registration mandate under Chapter 134-3 to include notification
11 of removing firearms from the State.

12 SECTION 2. Section 134-3, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "**§134-3 Registration, mandatory, exceptions.** (a) Every
15 person arriving in the State who brings or by any other manner
16 causes to be brought into the State a firearm of any
17 description, whether usable or unusable, serviceable or



1 unserviceable, modern or antique, shall register the firearm
2 within five days after arrival of the person or of the firearm,
3 whichever arrives later, with the chief of police of the county
4 of the person's place of business or, if there is no place of
5 business, the person's residence or, if there is neither a place
6 of business nor residence, the person's place of sojourn. A
7 nonresident alien may bring firearms not otherwise prohibited by
8 law into the State for a continuous period not to exceed ninety
9 days; provided that the person meets the registration
10 requirement of this section and the person possesses:

- 11 (1) A valid Hawaii hunting license procured under chapter
12 183D, part II, or a commercial or private shooting
13 preserve permit issued pursuant to section 183D-34;
- 14 (2) A written document indicating the person has been
15 invited to the State to shoot on private land; or
- 16 (3) Written notification from a firing range or target
17 shooting business indicating that the person will
18 actually engage in target shooting.

19 The nonresident alien shall be limited to a nontransferable
20 registration of not more than ten firearms for the purpose of
21 the above activities.



1 Every person registering a firearm under this subsection
2 shall be fingerprinted and photographed by the police department
3 of the county of registration; provided that this requirement
4 shall be waived where fingerprints and photographs are already
5 on file with the police department. The police department shall
6 perform an inquiry on the person by using the International
7 Justice and Public Safety Network, including the United States
8 Immigration and Customs Enforcement query, the National Crime
9 Information Center, and the National Instant Criminal Background
10 Check System, pursuant to section 846-2.7 before any
11 determination to register a firearm is made.

12 (b) Every person who acquires a firearm pursuant to
13 section 134-2 shall register the firearm in the manner
14 prescribed by this section within five days of acquisition. The
15 registration shall be on forms prescribed by the attorney
16 general, which shall be uniform throughout the State, and shall
17 include the following information: name of the manufacturer and
18 importer; model; type of action; caliber or gauge; serial
19 number; and source from which receipt was obtained, including
20 the name and address of the prior registrant. If the firearm
21 has no serial number, the permit number shall be entered in the



1 space provided for the serial number, and the permit number
2 shall be engraved upon the receiver portion of the firearm
3 before registration. All registration data that would identify
4 the individual registering the firearm by name or address shall
5 be confidential and shall not be disclosed to anyone, except as
6 may be required:

7 (1) For processing the registration;

8 (2) For database management by the Hawaii criminal justice
9 data center;

10 (3) By a law enforcement agency for the lawful performance
11 of its duties; or

12 (4) By order of a court.

13 (c) Dealers licensed under section 134-31 or dealers
14 licensed by the United States Department of Justice shall
15 register firearms pursuant to this section on registration forms
16 prescribed by the attorney general and shall not be required to
17 have the firearms physically inspected by the chief of police at
18 the time of registration.

19 (d) Registration shall not be required for:

20 (1) Any device that is designed to fire loose black powder
21 or that is a firearm manufactured before 1899;



1 (2) Any device not designed to fire or made incapable of
2 being readily restored to a firing condition; or

3 (3) All unserviceable firearms and destructive devices
4 registered with the Bureau of Alcohol, Tobacco, and
5 Firearms of the United States Department of Justice
6 pursuant to Title 27, Code of Federal Regulations.

7 (e) Every person who permanently moves firearms out of the
8 State shall contact the department where the firearms are
9 registered to notify such department that the firearms have been
10 moved out of State within five days of having been removed from
11 the State.

12 [~~(e)~~] (f) No fee shall be charged for the registration of
13 a firearm under this section, except for a fee chargeable by and
14 payable to the registering county for persons registering a
15 firearm under subsection (a), in an amount equal to the fee
16 charged by the Hawaii criminal justice data center pursuant to
17 section 846-2.7. In the case of a joint registration, the fee
18 provided for in this section may be charged to each person.

19 [~~(f)~~] (g) No person less than twenty-one years of age
20 shall bring or cause to be brought into the State any firearm."



1 SECTION 3. Section 134-17, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) Any person who violates section 134-3(a) or 134-3(e)
4 shall be guilty of a petty misdemeanor."

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

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

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INTRODUCED BY:

Karl Rhoad



S.B. NO. 3054

Report Title:

Firearms; Gun Safety; Registration

Description:

Amends section 134-3, Hawaii Revised Statutes, to require the registration of firearms that are moved out of the State. Creates a penalty of a petty misdemeanor for any person who fails to register a firearm that is moved out of the State.

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

