

STAND. COM. REP. NO. 700

Honolulu, Hawaii

MAR 04 2021

RE: S.B. No. 459
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 459 entitled:

"A BILL FOR AN ACT RELATING TO FIREARMS,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the Department of the Attorney General to develop and implement a state program to allow active and retired law enforcement officers to carry a concealed firearm in the State pursuant to the federal Law Enforcement Officers Safety Act of 2004.

Your Committee received testimony in support of this measure from the Department of the Attorney General and four individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the federal Law Enforcement Officers Safety Act of 2004 (LEOSA), Public Law 108-277, was intended to afford active and retired law enforcement officers the privilege of carrying a concealed firearm across state lines. Your Committee further finds that currently, Hawaii has not established firearm qualification standards for qualified retired law enforcement officers residing in the State or a statutory framework to uniformly permit active and qualified retired law enforcement officers to carry a concealed weapon in Hawaii pursuant to the LEOSA. This measure will authorize the Department



of the Attorney General to develop and implement a state program to issue firearm qualification certifications to qualified retired law enforcement officers to carry a concealed firearm in Hawaii pursuant to the LEOA.

Your Committee has amended this measure by:

- (1) Limiting the Department of the Attorney General's role in implementing the LEOA to issuing firearm qualification certifications for qualified retired law enforcement officers;
- (2) Clarifying that state law relating to licenses to carry firearms does not apply to qualified active or retired law enforcement officers carrying concealed firearms in compliance with the LEOA; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 459, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 459, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB459	Committee Referral: JDC	Date: 2/16/21
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The Committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura			✓	
GABBARD, Mike	✓			
KIM, Donna Mercado		✓		
LEE, Chris	✓			
FEVELLA, Kurt		✓		
TOTAL	4	2	1	0

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: 

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*Only one measure per Record of Votes