
A BILL FOR AN ACT

RELATING TO FIREARMS.

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

1 SECTION 1. The legislature finds that there are compelling
2 interests in protecting public health, safety, and welfare from
3 the serious hazards associated with firearms and gun violence.
4 Although the United States Supreme Court has held that the
5 Second Amendment provides for an individual right to keep and
6 bear arms for lawful purposes, the Second Amendment is not a
7 regulatory straightjacket. States retain authority to enact a
8 variety of gun regulations, such as prohibiting the carrying of
9 firearms in sensitive locations and adopting laws and
10 regulations designed to ensure that those who carry firearms are
11 law-abiding, responsible citizens.

12 Accordingly, the purpose of this Act is to clarify, revise,
13 and reframe Hawaii's firearms laws to mitigate the serious
14 hazards to public health, safety, and welfare associated with
15 firearms and gun violence, while respecting and protecting the
16 lawful exercise of individual rights.



1 SECTION 2. Chapter 134, Hawaii Revised Statutes, is
2 amended by adding four new sections to be appropriately
3 designated and to read as follows:

4 "§134-A Prohibition against carrying a firearm in a
5 sensitive location; prohibition against carrying a firearm on
6 the private property of another person without authorization;
7 penalty. (a) Subject to the exceptions stated in subsections
8 (b) through (e), a person granted a license to carry a concealed
9 firearm under section 134-9, or in accordance with title 18
10 United States Code section 926B or 926C, shall not
11 intentionally, knowingly, or recklessly carry a firearm:

- 12 (1) In a sensitive location; or
- 13 (2) On the private property of another person without
14 authorization.

15 (b) Subsection (a) shall not apply to the following
16 individuals:

- 17 (1) Persons exempted from section 134-9 under section
18 134-11; and
- 19 (2) Detectives, private detectives, investigators, or
20 guards as defined in section 463-1; provided that the
21 detective, private detective, investigator, or guard



1 is expressly authorized by the county chief of police
2 to carry a firearm in a particular sensitive location
3 while on duty in that sensitive location or is
4 expressly authorized to carry or possess a weapon in a
5 location defined in subsection (i) by the owner,
6 lessee, operator, or manager of that location or
7 premise and is acting within that person's scope of
8 employment.

9 (c) Notwithstanding subsection (a), a person carrying a
10 firearm pursuant to a license issued under section 134-9, or in
11 accordance with title 18 United States Code section 926B or
12 926C, may:

13 (1) Transport a concealed firearm within their vehicle or
14 in a place, conveyance, or vehicle used for public
15 transportation or public transit as defined in
16 subsection (i) (14), or in a facility used for or in
17 connection with service in the transportation of
18 passengers as defined in section (i) (15); provided
19 that the firearm is unloaded and in a locked
20 container;



1 (2) Transport a concealed firearm within a vehicle into or
2 out of a parking area in a location covered under
3 subsection (a); provided that the firearm is secured
4 in a locked container; and

5 (3) Transport a concealed firearm in the immediate area
6 surrounding their vehicle within a prohibited parking
7 lot area only for the purpose of storing or retrieving
8 a firearm within a locked container in the vehicle's
9 trunk or other place inside the vehicle that is out of
10 plain view.

11 (d) Except in the locations specified in paragraphs (1)
12 and (2) of subsection (i), a person shall not be in violation of
13 this section while traveling along a public right-of-way that
14 touches or crosses any of the locations identified in subsection
15 (i) if the concealed firearm is carried on their person or is
16 being transported in a vehicle by the licensee in accordance
17 with all other applicable laws; provided that nothing in this
18 exception shall allow a licensee to loiter or remain in a
19 sensitive location identified in this subsection longer than
20 necessary to complete their travel.



1 (e) This section shall not apply to a licensee who must
2 walk through a public gathering or special event in order to
3 access their residence, place of business, or vehicle while the
4 licensee is in the act of walking through the gathering or event
5 to access their residence, place of business, or vehicle;
6 provided that nothing in this exception shall allow a licensee
7 to loiter or remain in a place identified in this subsection
8 longer than necessary to complete their travel.

9 (f) The applicability of the exceptions stated in
10 subsection (b) through (e) shall constitute defenses on which a
11 defendant bears an initial burden of production

12 (g) Nothing in this section shall prohibit the carrying of
13 a firearm where it otherwise expressly authorized by state law.

14 (h) Any person violating subsection (a) shall be guilty of
15 a misdemeanor, and shall also be subject to revocation of their
16 license to carry a firearm under section 134-13, and
17 disqualified from renewing their license to carry a firearm
18 under section 134-9.

19 (i) For the purposes of this section:

20 "Private property of another person without authorization"
21 means property that is privately owned or leased, including but



1 not limited to residential, commercial, industrial,
 2 agricultural, institutional, or undeveloped property, unless the
 3 owner, lessee, operator, or manager of the property has provided
 4 express authorization to carry firearms on the property or
 5 premises, or clearly and conspicuously posts a sign at the
 6 entrance of the building or on the premises indicating that
 7 carrying firearms is authorized on that property or premises.

8 "Sensitive location" means:

- 9 (1) A school as defined in section 302A-901, including
 10 adjacent grounds and parking areas, and any school
 11 bus;
- 12 (2) A public or private college or university, including
 13 but not limited to buildings, classrooms,
 14 laboratories, artistic venues, athletic fields or
 15 venues, including adjacent grounds and parking areas;
- 16 (3) A child care facility as defined in section 346-151;
- 17 (4) A nursery school, preschool, day care center, or
 18 summer camp, including adjacent grounds and parking
 19 areas;



- 1 (5) A public park or recreational ground as defined in
2 section 708-814.5, but not including an authorized
3 target range or shooting complex;
- 4 (6) A playground, library, museum, carnival, aquarium,
5 zoo, or recreation center, including adjacent grounds
6 and parking areas;
- 7 (7) A shelter or residential facility operated by a
8 government entity or a charitable organization serving
9 children, including but not limited to unhoused
10 children and children involved in the juvenile justice
11 system;
- 12 (8) A bar, restaurant, or establishment issued a license
13 for on-premise consumption of alcohol pursuant to
14 sections 281-31 and 281-32.5, including adjacent
15 parking areas;
- 16 (9) A building or office owned, leased, or used by the
17 State or a county, including but not limited to any
18 portion of a building or office used for legislative
19 business, contested case hearings, agency rulemaking,
20 or other activities of state or county government;
21 including adjacent grounds and parking areas;



- 1 (10) A courthouse, courtroom, or any other premises used to
2 conduct judicial or court administrative proceedings
3 or functions, including adjacent grounds and parking
4 areas;
- 5 (11) A voter service center, place of deposit, and its
6 appurtenances, and an area of two hundred feet from
7 the perimeter of any voter service center, place of
8 deposit, and its appurtenances, as designated by
9 election officials under section 11-132, as follows:
- 10 (A) As applied to voter service centers and their
11 appurtenances, all operating hours, as set forth
12 in section 11-109; and
- 13 (B) As applied to places of deposit and their
14 appurtenances, all times at which the place of
15 deposit is accessible to the public;
- 16 (12) A vote counting center or a place where ballots are
17 stored;
- 18 (13) A public gathering, public assembly, or special event
19 conducted on property open to the public, including
20 but not limited to a demonstration, march, rally,
21 vigil, protest, or picketing event, that requires the



1 issuance of a permit from a federal, state, or local
2 government and the sidewalk or street immediately
3 adjacent to the public gathering or special event and
4 within one thousand feet from the event or gathering;
5 provided that there are signs clearly and
6 conspicuously posted at visible places along the
7 perimeter of the event;

8 (14) A place, conveyance, or vehicle used for public
9 transportation or public transit, including but not
10 limited to:

11 (A) Buses and paratransit vans;

12 (B) Train cars;

13 (C) Ferries;

14 (D) Railroad; and

15 (E) Marine or aviation transportation;

16 (15) A facility used for or in connection with service in
17 the transportation of passengers, including but not
18 limited to:

19 (A) Airports;

20 (B) Bus shelters and terminals;

21 (C) Train stations;



1 (D) Rail stations; and

2 (E) Harbors;

3 (16) A stadium, arena, theater, performance venue, or
4 amusement park, or any place at which a professional,
5 collegiate, high school, amateur, or student sporting
6 event is being held, including adjacent grounds and
7 parking areas;

8 (17) A public or private hospital or hospital affiliate,
9 mental health facility, nursing home, clinic, medical
10 office, urgent care facility, or other place at which
11 medical services are customarily provided, including
12 adjacent grounds and parking areas; and

13 (18) A financial institution as defined in section 211D-1,
14 including adjacent parking areas.

15 §134-B Annual report on licenses to carry. (a) By
16 April 1, 2024, and each year thereafter, the attorney general
17 shall publish a report on its publicly available website
18 detailing:

19 (1) The number of licenses to carry applied for, issued,
20 revoked, and denied, and further categorized by the



- 1 age, sex, race, and county of residence of the
2 applicant or license holder;
- 3 (2) The specific reasons for each revocation and denial;
4 (3) Analysis of denials under section 134-9(b)(2) and
5 recommendations to remedy any disparities in denial
6 rates by age, sex, or race; and
- 7 (4) The number of appeals and appeals granted.
- 8 (b) The chief of police of each county shall supply the
9 attorney general with the data the attorney general requires to
10 complete the report under subsection (a) for the prior year by
11 February 1 of each year.

12 §134-C Mandatory insurance coverage. (a) Effective
13 January 1, 2025, all persons applying for a new or renewed
14 license to carry a firearm under section 134-9 shall maintain
15 insurance coverage insuring against loss resulting from
16 liability imposed by law for bodily injury, death, or property
17 damage sustained by any person arising out of the ownership,
18 maintenance, operation, or use of a firearm carried in public.
19 Liability coverage shall be not less than \$100,000 per person,
20 with an aggregate limit of not less than \$300,000 per
21 occurrence.



1 (b) Proof of insurance as required pursuant to subsection
2 (a) shall, upon request, be produced by the person carrying a
3 firearm in public within a reasonable amount of time following
4 any injury, death, or property damage alleged to have been
5 caused by the person carrying the firearm in public. This
6 requirement shall be satisfied by delivering a full and complete
7 copy of the applicable policy or policies of insurance that meet
8 the standards established by subsection (a) and that were in
9 force at the time of the injury, death, or property damage.
10 Disclosure of policy information under this subsection shall not
11 constitute an admission that the alleged injury, death, or
12 property damage is subject to the policy.

13 §134-D Duty to maintain possession of license while
14 carrying a firearm; duty to disclose; penalty. (a) A person
15 carrying a firearm pursuant to a license issued under section
16 134-9, or in accordance with title 18 United States Code section
17 926B or 926C, shall have in the person's immediate possession:
18 (1) The license issued under section 134-9 or credentials
19 as required under title 18 United States Code section
20 926B or 926C; and



1 (2) Documentary evidence that the firearm being carried is
 2 registered under this chapter,
 3 and shall, upon request from a law enforcement officer, present
 4 the license or credentials and evidence of registration.

5 (b) When a person carrying a firearm, including but not
 6 limited to a person carrying a firearm pursuant to a license
 7 issued under section 134-9 or in accordance with title 18 United
 8 States Code section 926B or 926C, is stopped by a law
 9 enforcement officer or is a driver or passenger in a vehicle
 10 stopped by a law enforcement officer, the person carrying a
 11 firearm shall immediately disclose to the law enforcement
 12 officer that the person is carrying a firearm, and shall, upon
 13 request:

- 14 (1) Identify the specific location of the firearm; and
- 15 (2) Present to the law enforcement officer a license to
 16 carry a firearm issued under section 134-9 or
 17 credentials as required under title 18 United States
 18 Code section 926B or 926C.

19 (c) Any person who intentionally, knowingly, or recklessly
 20 violates this section shall be guilty of a petty misdemeanor."



1 SECTION 3. Section 134-1, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By adding three new definitions to be appropriately
4 inserted and to read:

5 "Concealed" means, in relation to a firearm, that the
6 firearm is entirely hidden from view of the public and not
7 discernible by ordinary observation, such that a reasonable
8 person without law enforcement training would be unable to
9 detect the presence of a firearm.

10 "Locked container" means a secure container that is fully
11 enclosed, capable of preventing an unauthorized person from
12 obtaining access to or possession of the firearm contained
13 therein, and locked by a padlock, keylock, keypad, combination
14 lock, or similar locking device. The term "locked container"
15 does not include the trunk or the utility or glove compartment
16 of a motor vehicle.

17 "Unconcealed" means not concealed."

18 2. By amending the definition of "crime of violence" to
19 read:

20 "Crime of violence" means any offense[, as defined in
21 title 37,] under state or federal law, or the law of another



1 state, a United States territory, or the District of Columbia
2 that [~~involves~~] has as an element the injury or threat of injury
3 to the person of another [~~, including~~] or that has as an element
4 the use, attempted use, or threatened use of physical force
5 against the person or property of another or the creation of a
6 substantial risk of causing bodily injury, and also includes the
7 following offenses: sexual assault in the fourth degree under
8 section 707-733 [~~and~~], harassment under section 711-1106,
9 harassment by stalking under section 711-1106.5 [~~-~~], endangering
10 the welfare of a minor in the second degree under section
11 709-904, terroristic threatening in the second degree under
12 section 707-717, reckless endangering in the second degree under
13 section 707-714, criminal solicitation of a crime of violence
14 under section 705-510, and conspiracy to commit a crime of
15 violence under section 705-520; and offenses under federal law,
16 or the law of another state, a United States territory, or the
17 District of Columbia, that are comparable to the offense defined
18 or listed above."

19 SECTION 4. Section 134-2, Hawaii Revised Statutes, is
20 amended by amending subsections (d) and (e) to read as follows:



1 "(d) The chief of police of the respective counties [~~may~~]
2 shall issue permits to acquire firearms to citizens, nationals,
3 or lawful permanent residents of the United States of the age of
4 twenty-one years or more, or duly accredited official
5 representatives of foreign nations, or duly commissioned law
6 enforcement officers of the State who are aliens; provided that
7 any law enforcement officer who is the owner of a firearm and
8 who is an alien shall transfer ownership of the firearm within
9 forty-eight hours after termination of employment from a law
10 enforcement agency. The chief of police of each county [~~may~~]
11 shall issue permits to aliens of the age of eighteen years or
12 more for use of rifles and shotguns for a period not exceeding
13 sixty days, upon a showing that the alien has first procured a
14 hunting license under chapter 183D, part II. The chief of
15 police of each county [~~may~~] shall issue permits to aliens of the
16 age of twenty-one years or more for use of firearms for a period
17 not exceeding six months, upon a showing that the alien is in
18 training for a specific organized sport-shooting contest to be
19 held within the permit period. The attorney general shall adopt
20 rules, pursuant to chapter 91, as to what constitutes sufficient
21 evidence that an alien is in training for a sport-shooting



1 contest. Notwithstanding any law to the contrary and upon joint
2 application, the chief of police [~~may~~] shall issue permits to
3 acquire firearms jointly to spouses who otherwise qualify to
4 obtain permits under this section.

5 (e) The permit application form shall be signed by the
6 applicant and by the issuing authority. One copy of the permit
7 shall be retained by the issuing authority as a permanent
8 official record. Except for sales to dealers licensed under
9 section 134-31, or dealers licensed by the United States
10 Department of Justice, or law enforcement officers, [~~or where a~~
11 ~~license is granted under section 134-9,~~] or where any firearm is
12 registered pursuant to section 134-3(a), no permit shall be
13 issued to an applicant earlier than fourteen calendar days after
14 the date of the application; provided that a permit shall be
15 issued or the application denied before the twentieth day from
16 the date of application. Permits issued to acquire any pistol
17 or revolver shall be void unless used within ten days after the
18 date of issue. Permits to acquire a pistol or revolver shall
19 require a separate application and permit for each transaction.
20 Permits issued to acquire any rifle or shotgun shall entitle the
21 permittee to make subsequent purchases of rifles or shotguns for



1 a period of one year from the date of issue without a separate
2 application and permit for each acquisition, subject to the
3 disqualifications under section 134-7 and subject to revocation
4 under section 134-13; provided that if a permittee is arrested
5 for committing a felony or any crime of violence or for the
6 illegal sale or distribution of any drug, the permit shall be
7 impounded and shall be surrendered to the issuing authority.
8 The issuing authority shall perform an inquiry on an applicant
9 by using the International Justice and Public Safety Network,
10 including the United States Immigration and Customs Enforcement
11 query, the National Crime Information Center, and the National
12 Instant Criminal Background Check System, pursuant to section
13 846-2.7 before any determination to issue a permit or to deny an
14 application is made. The issuing authority shall not issue a
15 permit to acquire the ownership of a firearm to any person where
16 the issuance would not be in the interest of public health,
17 safety, or welfare because the person is found to be lacking the
18 essential character or temperament necessary to be entrusted
19 with a firearm. In determining whether the person lacks the
20 essential character or temperament necessary to be entrusted
21 with a firearm, the issuing authority shall consider whether the



1 person is likely to engage in conduct, other than lawful self-
2 defense, that would pose a danger to self or others, as
3 evidenced by whether the applicant has any history of threats or
4 acts of violence by the applicant directed toward their self or
5 others or any history of use, attempted use, or threatened use
6 of physical force by the applicant against another person, or
7 other incidents implicating the disqualifying criteria set forth
8 in this subsection, including but not limited to determining
9 whether the applicant has been subject to any recent arrests or
10 criminal charges or has been experiencing any mental health
11 issues such as suicidal ideation or violent impulses, the
12 applicant's use of drugs or alcohol, and any other relevant
13 evidence. The issuing authority shall consider the risks
14 associated with firearms in the home, such as failure to
15 consistently secure a firearm when not in the applicant's
16 immediate control, the initiating or escalating of conflicts
17 with intimate partners, family members, cohabitants, and invited
18 guests such that a firearm is likely to be displayed or
19 discharged other than in lawful self-defense; and shall consider
20 the likelihood an applicant would bring the firearm outside of
21 the home to engage in violence or to carry unlawfully in public.



1 If an application under this section is denied, a person
2 aggrieved by the denial shall be entitled to a hearing before
3 the chief of police of the appropriate county or a designee of
4 the chief of police. A person aggrieved by the denial shall
5 submit a request for a hearing in writing to the chief of police
6 of the appropriate county no later than thirty days following
7 the date of the decision or determination notice. The hearing
8 shall constitute a contested case hearing for purposes of
9 chapter 91. Following the hearing, an aggrieved party shall be
10 entitled to an appeal before the chief of police of the
11 appropriate county or a designee of the chief of police."

12 SECTION 5. Section 134-5, Hawaii Revised Statutes, is
13 amended to read as follows:

14 **"§134-5 Possession by licensed hunters and minors; target**
15 **shooting; game hunting.** (a) Any person of the age of sixteen
16 years, or over or any person under the age of sixteen years
17 while accompanied by an adult, may carry and use any lawfully
18 acquired rifle or shotgun and suitable ammunition while actually
19 engaged in hunting or target shooting or while going to and from
20 the place of hunting or target shooting; provided that the
21 person has procured a hunting license under chapter 183D, part



1 II. A hunting license shall not be required for persons engaged
2 in target shooting.

3 (b) A permit shall not be required when any lawfully
4 acquired firearm is lent to a person, including a minor, upon a
5 target range or similar facility for purposes of target
6 shooting; provided that the period of the loan does not exceed
7 the time in which the person actually engages in target shooting
8 upon the premises.

9 (c) A person may carry unconcealed and use a lawfully
10 acquired pistol or revolver while actually engaged in hunting
11 game mammals, if that pistol or revolver and its suitable
12 ammunition are acceptable for hunting by rules adopted pursuant
13 to section 183D-3 and if that person is licensed pursuant to
14 part II of chapter 183D. The pistol or revolver may be
15 transported in an enclosed container [~~as defined in section~~
16 ~~134-25~~] in the course of going to and from the place of the
17 hunt, notwithstanding section 134-26.

18 (d) For purposes of this section, "enclosed container"
19 means a rigidly constructed receptacle, or a commercially
20 manufactured gun case, or the equivalent thereof that completely
21 encloses the firearm."



1 SECTION 6. Section 134-7, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~§~~134-7 Ownership ~~[or]~~, possession, or control prohibited,
4 when; penalty. (a) No person who is a fugitive from justice or
5 is a person prohibited from possessing ~~[firearms]~~ a firearm or
6 ammunition under title 18 United States Code section 922 or any
7 other provision of federal law shall own, possess, or control
8 any firearm or ammunition therefor.

9 (b) No person who ~~[is under indictment for, or has waived~~
10 ~~indictment for, or has been bound over to the circuit court~~
11 ~~for,]~~ has one or more pending charges for a felony, a crime of
12 violence, or an illegal sale or distribution of any drug in a
13 court in this State or elsewhere, or who has been convicted in
14 this State or elsewhere of having committed a felony, ~~[or any]~~ a
15 crime of violence, or an illegal sale or distribution of any
16 drug shall own, possess, or control any firearm or ammunition
17 therefor.

18 (c) No person ~~[who:]~~ shall own, possess, or control any
19 firearm or ammunition if:

20 (1) ~~[Is]~~ The person is or has been under treatment or
21 counseling for addiction to, abuse of, or dependence



1 upon any dangerous, harmful, or detrimental drug,
2 intoxicating compound as defined in section 712-1240,
3 or intoxicating liquor;

4 (2) [~~Has~~] The person has been acquitted of a crime on the
5 grounds of mental disease, disorder, or defect
6 pursuant to section 704-411[+] or any similar
7 provision under federal law, or the law of another
8 state, a United States territory, or the District of
9 Columbia;

10 (3) [~~Is~~] The person is or has been diagnosed [as having a
11 significant behavioral, emotional, or mental disorders
12 as defined by the most current diagnostic manual of
13 the American Psychiatric Association or for treatment
14 for organic brain syndromes;] with or treated for a
15 medical, behavioral, psychological, emotional, or
16 mental condition or disorder that causes or is likely
17 to cause impairment in judgment, perception, or
18 impulse control to an extent that presents an
19 unreasonable risk to public health, safety, or welfare
20 if the person were in possession or control of a
21 firearm or ammunition; or



1 (4) The person has been adjudged to be an "incapacitated
2 person" within the meaning of section 560:5-102 or has
3 been adjudged to meet the criteria for involuntary
4 hospitalization under section 334-60.2,
5 ~~[shall own, possess, or control any firearm or ammunition~~
6 ~~therefor,]~~ unless the person ~~[has been medically documented to~~
7 ~~be]~~ establishes, with appropriate medical documentation, that
8 the person is no longer adversely affected by the [addiction,
9 ~~abuse, dependence, mental disease, disorder, or defect.]~~
10 criteria or statuses identified in this subsection.

11 (d) No person who is less than twenty-five years old and
12 has been adjudicated by the family court to have committed a
13 felony, ~~[two or more crimes]~~ a crime of violence, or an illegal
14 sale or distribution of any drug shall own, possess or control
15 any firearm or ammunition therefor.

16 (e) No minor ~~[who:]~~ shall own, possess, or control any
17 firearm or ammunition if the minor:

18 (1) Is or has been under treatment for addiction to any
19 dangerous, harmful, or detrimental drug, intoxicating
20 compound as defined in section 712-1240, or
21 intoxicating liquor;



- 1 (2) Is a fugitive from justice; or
- 2 (3) Has been determined not to have been responsible for a
- 3 criminal act or has been committed to any institution
- 4 on account of a mental disease, disorder, or defect;
- 5 ~~[shall own, possess, or control any firearm or ammunition~~
- 6 ~~therefor,]~~ unless the minor ~~[has been medically documented to~~
- 7 ~~be]~~ establishes, with appropriate medical documentation, that
- 8 the minor is no longer adversely affected by the addiction,
- 9 mental disease, disorder, or defect.

10 For the purposes of enforcing this section, and

11 notwithstanding section 571-84 or any other law to the contrary,

12 any agency within the State shall make its records relating to

13 family court adjudications available to law enforcement

14 officials.

15 (f) No person who has been restrained pursuant to an order

16 of any court, including a gun violence protective order issued

17 pursuant to part IV, from contacting, threatening, or physically

18 abusing any person, shall possess, control, or transfer

19 ownership of any firearm or ammunition therefor, so long as the

20 protective order, restraining order, or any extension is in

21 effect, unless the order, for good cause shown, specifically



1 permits the possession of a firearm and ammunition. The
2 protective order or restraining order shall specifically include
3 a statement that possession, control, or transfer of ownership
4 of a firearm or ammunition by the person named in the order is
5 prohibited. The person shall relinquish possession and control
6 of any firearm and ammunition owned by that person to the police
7 department of the appropriate county for safekeeping for the
8 duration of the order or extension thereof. At the time of
9 service of a protective order or restraining order involving
10 firearms and ammunition issued by any court, a police officer
11 may take custody of any and all firearms and ammunition in plain
12 sight, those discovered pursuant to a consensual search; and
13 those firearms surrendered by the person restrained. If the
14 person restrained is the registered owner of a firearm and knows
15 the location of the firearm, but refuses to surrender the
16 firearm or refuses to disclose the location of the firearm, the
17 person restrained shall be guilty of a misdemeanor. In any
18 case, when a police officer is unable to locate the firearms and
19 ammunition either registered under this chapter or known to the
20 person granted protection by the court, the police officer shall



1 apply to the court for a search warrant pursuant to chapter 803
2 for the limited purpose of seizing the firearm and ammunition.

3 For the purposes of this subsection, good cause shall not
4 be based solely upon the consideration that the person subject
5 to restraint pursuant to an order of any court is required to
6 possess or carry firearms or ammunition during the course of the
7 person's employment. Good cause consideration may include but
8 not be limited to the protection and safety of the person to
9 whom a restraining order is granted.

10 (g) Any person disqualified from ownership, possession,
11 control, or the right to transfer ownership of firearms and
12 ammunition under this section shall surrender or dispose of all
13 firearms and ammunition in compliance with section 134-7.3.

14 (h) Any person who otherwise would be prohibited under
15 subsection (b) from owning, possessing, or controlling a firearm
16 and ammunition solely as a result of a conviction for a crime
17 that is not a felony, and who is not prohibited from owning,
18 possessing, or controlling a firearm or ammunition under any
19 other provision of this chapter or under title 18 United States
20 Code section 922 or another provision of federal law, shall not
21 be prohibited under this section from owning, possessing, or



1 controlling a firearm and ammunition if twenty years have
2 elapsed from the date of the conviction.

3 ~~[(h)]~~ (i) Any person violating subsection (a) or (b) shall
4 be guilty of a class C felony; provided that any felon violating
5 subsection (b) shall be guilty of a class B felony. Any person
6 violating subsection (c), (d), (e), (f), or (g) shall be guilty
7 of a misdemeanor."

8 SECTION 7. Section 134-9, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "§134-9 Licenses to carry. (a) ~~[In an exceptional case,~~
11 ~~when an applicant shows reason to fear injury to the applicant's~~
12 ~~person or property, the]~~ The chief of police of the appropriate
13 county ~~[may]~~ shall grant a license to an applicant who is a
14 ~~[citizen of the United States of the age of twenty one years or~~
15 ~~more or to a duly accredited official representative of a~~
16 ~~foreign nation]~~ resident of the State of the age of twenty-one
17 years or more to carry a pistol or revolver and ammunition
18 therefor concealed on the person within the county where the
19 license is granted~~[-]~~ upon determination by the chief of police
20 that the applicant meets all the requirements set forth in this
21 section. Where the urgency or the need has been sufficiently



1 indicated, the respective chief of police may grant to an
2 applicant of good moral character who is a citizen of the United
3 States, a United States national, or a lawful permanent resident
4 of the age of twenty-one years or more, is engaged in the
5 protection of life and property, and is not prohibited under
6 section 134-7 from the ownership or possession of a firearm, a
7 license to carry a pistol or revolver and ammunition therefor
8 unconcealed on the person within the county where the license is
9 granted. The chief of police of the appropriate county, or the
10 chief's designated representative, shall perform an inquiry on
11 an applicant by using the National Instant Criminal Background
12 Check System, to include a check of the Immigration and Customs
13 Enforcement databases where the applicant is not a citizen of
14 the United States, before any determination to grant a license
15 is made. Unless renewed, the license shall expire one year from
16 the date of issue.

17 (b) The chief of police of each county shall adopt
18 procedures to require that any person granted a license to carry
19 a concealed [~~weapon~~] pistol or revolver on the person shall:

20 (1) Be qualified to use the firearm in a safe manner[+].

21 To prove an applicant is qualified, applicants shall



1 be required to provide proof of a firearm
2 certification program that satisfies the requirements
3 of section 134-2(g)(2) through (4) no earlier than
4 ninety days prior to submitting an application for an
5 initial license to carry a concealed pistol or
6 revolver on the person, and at intervals to be
7 determined by the chief of police for applications to
8 renew a license to carry a concealed pistol or
9 revolver on the person. An eligible firearm
10 certification program shall include:

11 (A) In-person instruction and written test covering
12 the topics of relevant gun laws, including secure
13 storage practices and location restrictions, use
14 of force and de-escalation, and the risks to self
15 and others of owning firearms; and

16 (B) Live-fire instruction and demonstration of safe
17 handling of, and shooting proficiency with, each
18 firearm the applicant is applying to be licensed
19 to carry;

20 (2) [~~Appear to be~~] Be a suitable person to [be so
21 licensed,] carry a concealed pistol or revolver in



1 public. In determining whether the person is a
2 suitable person to carry a concealed pistol or
3 revolver in public, the chief of police shall make the
4 required inquiry and investigation set forth in
5 section 134-2(e) and shall also consider the
6 additional risks associated with public carry of a
7 firearm, such as failure to consistently secure a
8 firearm outside the home and protect it from theft or
9 unauthorized access, especially in densely populated
10 settings; conduct or statements, including verbal
11 threats involving a firearm or displaying a firearm,
12 that would have the tendency to threaten or terrorize
13 members of the public; the initiation or escalation of
14 conflicts with others such that a firearm is likely to
15 be displayed or discharged other than in lawful self-
16 defense during interactions in public; and
17 unintentional or reckless discharge of a firearm in
18 public. The attorney general may issue rules or
19 publish guidance regarding the types of conduct that
20 the chief of police may consider when deciding whether



- 1 the applicant is a suitable person to carry a
- 2 concealed pistol or revolver in public;
- 3 (3) Not be prohibited under section 134-7 from the
- 4 ownership or possession of a firearm; [~~and~~]
- 5 (4) Not have one or more pending charges for a felony, a
- 6 crime of violence, or an illegal sale or distribution
- 7 of any drug in a court in this State or elsewhere, or
- 8 have been convicted in this State or elsewhere of
- 9 having committed in the previous ten years:
- 10 (A) Operating a vehicle under the influence of an
- 11 intoxicant under section 291E-61;
- 12 (B) Criminally negligent storage of a firearm under
- 13 section 707-714.5; or
- 14 (C) A firearm offense punishable as a misdemeanor
- 15 under this chapter; and
- 16 [~~(4)~~] (5) Not have been adjudged insane or not appear to be
- 17 mentally deranged. Being a person who does "not
- 18 appear to be mentally deranged" means that the
- 19 applicant does not exhibit specific and articulable
- 20 indicia that would objectively indicate to a
- 21 reasonable observer that the applicant is not capable



1 of being a reasonable and law-abiding user of
2 firearms. Such specific and articulable indicia may
3 include but are not limited to suicidal ideations;
4 homicidal ideations; or potential dangerousness,
5 including a violent animus towards one or more groups
6 based on race, color, national origin, ancestry, sex,
7 gender identity, gender expression, sexual
8 orientation, age, disability, religion, or other
9 characteristic, such that a reasonable person would
10 conclude that the applicant harbored an intention to
11 use a firearm in public to attack or threaten others,
12 rather than for self defense.

13 (c) No person shall carry concealed or unconcealed on the
14 person a pistol or revolver without being licensed to do so
15 under this section or in compliance with sections 134-5(c) or
16 134-25.

17 (d) The application for license to carry a concealed
18 firearm shall be in the form prescribed by the chief of police
19 of each county and shall include, at a minimum the following
20 features:



- 1 (1) The applicant's name; address; sex; height; weight;
2 date of birth; place of birth; country of citizenship;
3 social security number; alien or admission number; any
4 aliases or other names previously used by the
5 applicant; physical description, including any
6 distinguishing physical characteristics of the
7 applicant; current employer; and identifying
8 information for the firearm for which the license is
9 sought;
- 10 (2) The text of state laws pertaining to firearm storage
11 in sections 134-10.5, 134-25, and 707-714.5, the text
12 of the locations where firearms are prohibited set
13 forth in section 134-A, the text of section 134-D, and
14 space for an applicant's signature confirming the
15 applicant's acknowledgement and understanding of those
16 laws;
- 17 (3) A certification of whether the applicant has been
18 confined or committed to a mental institution or
19 hospital for treatment or observation of a mental or
20 psychiatric condition on a temporary, interim, or
21 permanent basis, or experienced any mental health



1 condition that could impact risk to public safety,
2 including but not limited to conditions involving
3 suicidal ideations, homicidal ideations, or violent
4 impulses;

5 (4) Contact information for not less than four reputable
6 persons who are not related by blood or law to the
7 applicant and have known the applicant for at least
8 three years preceding the application date who will
9 serve as personal references for the applicant's
10 license application and who have sufficient knowledge
11 of whether the applicant is a suitable person to carry
12 a concealed pistol or revolver in public, as set forth
13 in subsection (b) (2). The applicant shall also
14 provide names and contact information for the
15 applicant's current spouse, domestic partner, or
16 significant other, if any, and any other adults
17 residing in the applicant's home, including adult
18 children;

19 (5) The applicant shall complete an authorization for
20 release of mental health records, including
21 psychiatric, behavioral health, and substance abuse



1 information. The applicant shall also complete any
2 forms required by the applicant's health care provider
3 or relevant government entity for release of mental
4 health information; and

5 (6) Any other information the county chief of police, or a
6 designated member of the chief of police's staff, may
7 require from the applicant or any other person as the
8 chief of police reasonably deems necessary to conduct
9 the review of the application, including but not
10 limited to publicly available statements posted or
11 published online by the applicant.

12 The chief of police in the applicant's county, or a designated
13 member of the chief of police's staff, shall conduct an in-
14 person interview with the applicant and an in-person
15 videoconference, or telephonic interview with individuals
16 identified by the applicant as personal references, and shall
17 make inquiry concerning, and investigate to the extent
18 warranted, whether the applicant meets the qualifications and
19 standards set forth in subsection (b). Individuals whose
20 contact information is provided on the application form may be
21 contacted by the county chief of police, or a designated member



1 of the chief of police's staff, during this inquiry and
2 investigation. The county chief of police, or a designated
3 member of the chief of police's staff, shall also contact local
4 law enforcement where the applicant resides and works, and any
5 place where the applicant has resided in the previous ten years,
6 if the applicant currently or within the previous ten years has
7 resided or worked in a county other than the one in which a
8 license is being sought.

9 ~~[(d)]~~ (e) A fee of \$10 shall be charged for each license
10 and shall be deposited in the treasury of the county in which
11 the license is granted.

12 (f) If an application under this section is denied, a
13 person aggrieved by the denial shall be entitled to a hearing
14 before the chief of police of the appropriate county or a
15 designee of the chief of police. A person aggrieved by the
16 denial shall submit a request for a hearing in writing to the
17 chief of police of the appropriate county no later than thirty
18 days following the date of the decision or determination notice.
19 The hearing shall constitute a contested case hearing for
20 purposes of chapter 91. Following the hearing and final
21 decision, an aggrieved party shall be entitled to an appeal



1 before the chief of police of the appropriate county or a
 2 designee of the chief of police. In all cases where a permit
 3 application under this section is denied because an applicant is
 4 prohibited from owning, possessing, receiving, or controlling
 5 firearms under federal or state law, the chief of police of the
 6 applicable county shall send written notice as described in
 7 section 134-2(j)."

8 SECTION 8. Section 134-13, Hawaii Revised Statutes, is
 9 amended to read as follows:

10 "§134-13 Revocation of permits. (a) All permits and
 11 licenses provided for under this part may be revoked[~~, for good~~
 12 ~~cause,~~] by the issuing authority or by the judge of any court[~~-~~]
 13 if, at any time, the licensee or permit holder no longer meets
 14 the qualifications or requirements of the applicable permit or
 15 license section under which their permit or license was granted.
 16 Licenses to carry concealed firearms shall be revoked if, at any
 17 time, either the issuing authority determines or is notified by
 18 the judge of any court or a law enforcement agency of any of the
 19 following:

20 (1) A licensee is prohibited by state or federal law from
 21 owning or purchasing a firearm;



- 1 (2) A licensee becomes ineligible to obtain a license
- 2 under section 134-9(b);
- 3 (3) Any information provided by a licensee in connection
- 4 with an application for a new license or license
- 5 renewal is inaccurate or incomplete;
- 6 (4) A licensee is no longer a suitable person to hold such
- 7 a license under section 134-9(b)(2); or
- 8 (5) A licensee engages in any conduct that would have
- 9 resulted in the denial of a license.
- 10 (b) If the issuing authority determines that a permit or
- 11 license is subject to revocation, it shall notify the permit or
- 12 license holder of the determination in writing, stating the
- 13 grounds for the determination and informing the permit or
- 14 license holder of the right to seek a hearing before the issuing
- 15 authority regarding the determination prior to revocation.
- 16 Unless the permit or license holder submits a request for a
- 17 hearing in writing to the issuing authority no later than thirty
- 18 days following the date of the written notice that the permit or
- 19 license is subject to revocation, the permit or license shall be
- 20 immediately revoked by the issuing authority. Any hearing
- 21 regarding a determination that a permit or license is subject to



1 revocation shall constitute a contested case hearing for
2 purposes of chapter 91. A person aggrieved by a revocation
3 under this section may appeal to the chief of police of the
4 appropriate county or a designee of the chief of police. If the
5 license or permit is revoked because the licensee or permit
6 holder is prohibited from possessing firearms under section
7 134-7 or part IV of this chapter, then section 134-7.3 shall
8 govern the process for voluntary surrender and seizure."

9 SECTION 9. Section 134-25, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "[+]§134-25[+] Place to keep pistol or revolver; penalty.

12 (a) Except as provided in sections 134-5 and 134-9, all
13 firearms shall be confined to the possessor's place of business,
14 residence, or sojourn; provided that it shall be lawful to carry
15 unloaded firearms in [~~an enclosed~~] a locked container from the
16 place of purchase to the purchaser's place of business,
17 residence, or sojourn, or between these places upon change of
18 place of business, residence, or sojourn, or between these
19 places and the following:

20 (1) A place of repair;

21 (2) A target range;



- 1 (3) A licensed dealer's place of business;
- 2 (4) An organized, scheduled firearms show or exhibit;
- 3 (5) A place of formal hunter or firearm use training or
- 4 instruction; or
- 5 (6) A police station.

6 ~~["Enclosed container" means a rigidly constructed~~
 7 ~~receptacle, or a commercially manufactured gun case, or the~~
 8 ~~equivalent thereof that completely encloses the firearm.]~~

9 (b) Any person who carries or possess a pistol or revolver
 10 in a vehicle pursuant to section 134-5, pursuant to a license
 11 issued under section 134-9, or in accordance with title 18
 12 United States Code section 926B or 926C, shall keep the pistol
 13 or revolver in a locked container and place the container out of
 14 plain view when leaving the pistol or revolver in a vehicle
 15 unattended.

16 ~~[-(b)]~~ (c) Any person violating [this section] subsection
 17 (a) by carrying or possessing a loaded or unloaded pistol or
 18 revolver shall be guilty of a class B felony.

19 (d) Any person who intentionally, knowingly, or recklessly
 20 violates subsection (b) shall be guilty of a misdemeanor, and
 21 shall also be subject to revocation of their license to carry a



1 firearm under section 134-13 and disqualified from renewing
2 their license to carry a firearm issued under section 134-9.

3 (e) For the purposes of this section, a vehicle is
4 unattended when a person who is lawfully carrying or
5 transporting a firearm in a vehicle is not within close enough
6 proximity to the vehicle to reasonably prevent unauthorized
7 access to the vehicle or its contents."

8 SECTION 10. Section 846-2.7, Hawaii Revised Statutes, is
9 amended by amending subsection (b) to read as follows:

10 "(b) Criminal history record checks may be conducted by:

11 (1) The department of health or its designee on operators
12 of adult foster homes for individuals with
13 developmental disabilities or developmental
14 disabilities domiciliary homes and their employees, as
15 provided by section 321-15.2;

16 (2) The department of health or its designee on
17 prospective employees, persons seeking to serve as
18 providers, or subcontractors in positions that place
19 them in direct contact with clients when providing
20 non-witnessed direct mental health or health care
21 services as provided by section 321-171.5;



- 1 (3) The department of health or its designee on all
2 applicants for licensure or certification for,
3 operators for, prospective employees, adult
4 volunteers, and all adults, except adults in care, at
5 healthcare facilities as defined in section 321-15.2;
- 6 (4) The department of education on employees, prospective
7 employees, and teacher trainees in any public school
8 in positions that necessitate close proximity to
9 children as provided by section 302A-601.5;
- 10 (5) The counties on employees and prospective employees
11 who may be in positions that place them in close
12 proximity to children in recreation or child care
13 programs and services;
- 14 (6) The county liquor commissions on applicants for liquor
15 licenses as provided by section 281-53.5;
- 16 (7) The county liquor commissions on employees and
17 prospective employees involved in liquor
18 administration, law enforcement, and liquor control
19 investigations;
- 20 (8) The department of human services on operators and
21 employees of child caring institutions, child placing



- 1 organizations, and foster boarding homes as provided
2 by section 346-17;
- 3 (9) The department of human services on prospective
4 adoptive parents as established under section
5 346-19.7;
- 6 (10) The department of human services or its designee on
7 applicants to operate child care facilities, household
8 members of the applicant, prospective employees of the
9 applicant, and new employees and household members of
10 the provider after registration or licensure as
11 provided by section 346-154, and persons subject to
12 section 346-152.5;
- 13 (11) The department of human services on persons exempt
14 pursuant to section 346-152 to be eligible to provide
15 child care and receive child care subsidies as
16 provided by section 346-152.5;
- 17 (12) The department of health on operators and employees of
18 home and community-based case management agencies and
19 operators and other adults, except for adults in care,
20 residing in community care foster family homes as
21 provided by section 321-15.2;



- 1 (13) The department of human services on staff members of
2 the Hawaii youth correctional facility as provided by
3 section 352-5.5;
- 4 (14) The department of human services on employees,
5 prospective employees, and volunteers of contracted
6 providers and subcontractors in positions that place
7 them in close proximity to youth when providing
8 services on behalf of the office or the Hawaii youth
9 correctional facility as provided by section 352D-4.3;
- 10 (15) The judiciary on employees and applicants at detention
11 and shelter facilities as provided by section 571-34;
- 12 (16) The department of public safety on employees and
13 prospective employees who are directly involved with
14 the treatment and care of persons committed to a
15 correctional facility or who possess police powers
16 including the power of arrest as provided by section
17 353C-5;
- 18 (17) The board of private detectives and guards on
19 applicants for private detective or private guard
20 licensure as provided by section 463-9;



- 1 (18) Private schools and designated organizations on
2 employees and prospective employees who may be in
3 positions that necessitate close proximity to
4 children; provided that private schools and designated
5 organizations receive only indications of the states
6 from which the national criminal history record
7 information was provided pursuant to section 302C-1;
- 8 (19) The public library system on employees and prospective
9 employees whose positions place them in close
10 proximity to children as provided by section
11 302A-601.5;
- 12 (20) The State or any of its branches, political
13 subdivisions, or agencies on applicants and employees
14 holding a position that has the same type of contact
15 with children, vulnerable adults, or persons committed
16 to a correctional facility as other public employees
17 who hold positions that are authorized by law to
18 require criminal history record checks as a condition
19 of employment as provided by section 78-2.7;
- 20 (21) The department of health on licensed adult day care
21 center operators, employees, new employees,



- 1 subcontracted service providers and their employees,
2 and adult volunteers as provided by section 321-15.2;
- 3 (22) The department of human services on purchase of
4 service contracted and subcontracted service providers
5 and their employees serving clients of the adult
6 protective and community services branch, as provided
7 by section 346-97;
- 8 (23) The department of human services on foster grandparent
9 program, senior companion program, and respite
10 companion program participants as provided by section
11 346-97;
- 12 (24) The department of human services on contracted and
13 subcontracted service providers and their current and
14 prospective employees that provide home and community-
15 based services under section 1915(c) of the Social
16 Security Act, title 42 United States Code section
17 1396n(c), or under any other applicable section or
18 sections of the Social Security Act for the purposes
19 of providing home and community-based services, as
20 provided by section 346-97;



1 (25) The department of commerce and consumer affairs on
2 proposed directors and executive officers of a bank,
3 savings bank, savings and loan association, trust
4 company, and depository financial services loan
5 company as provided by section 412:3-201;

6 (26) The department of commerce and consumer affairs on
7 proposed directors and executive officers of a
8 nondepository financial services loan company as
9 provided by section 412:3-301;

10 (27) The department of commerce and consumer affairs on the
11 original chartering applicants and proposed executive
12 officers of a credit union as provided by section
13 412:10-103;

14 (28) The department of commerce and consumer affairs on:

15 (A) Each principal of every non-corporate applicant
16 for a money transmitter license;

17 (B) Each person who upon approval of an application
18 by a corporate applicant for a money transmitter
19 license will be a principal of the licensee; and

20 (C) Each person who upon approval of an application
21 requesting approval of a proposed change in



1 control of licensee will be a principal of the
2 licensee,
3 as provided by sections 489D-9 and 489D-15;
4 (29) The department of commerce and consumer affairs on
5 applicants for licensure and persons licensed under
6 title 24;
7 (30) The Hawaii health systems corporation on:
8 (A) Employees;
9 (B) Applicants seeking employment;
10 (C) Current or prospective members of the corporation
11 board or regional system board; or
12 (D) Current or prospective volunteers, providers, or
13 contractors,
14 in any of the corporation's health facilities as
15 provided by section 323F-5.5;
16 (31) The department of commerce and consumer affairs on:
17 (A) An applicant for a mortgage loan originator
18 license; or license renewal; and
19 (B) Each control person, executive officer, director,
20 general partner, and managing member of an



- 1 applicant for a mortgage loan originator company
2 license or license renewal,
3 as provided by chapter 454F;
- 4 (32) The state public charter school commission or public
5 charter schools on employees, teacher trainees,
6 prospective employees, and prospective teacher
7 trainees in any public charter school for any position
8 that places them in close proximity to children, as
9 provided in section 302D-33;
- 10 (33) The counties on prospective employees who work with
11 children, vulnerable adults, or senior citizens in
12 community-based programs;
- 13 (34) The counties on prospective employees for fire
14 department positions that involve contact with
15 children or vulnerable adults;
- 16 (35) The counties on prospective employees for emergency
17 medical services positions that involve contact with
18 children or vulnerable adults;
- 19 (36) The counties on prospective employees for emergency
20 management positions and community volunteers whose
21 responsibilities involve planning and executing



1 homeland security measures including viewing,
2 handling, and engaging in law enforcement or
3 classified meetings and assisting vulnerable citizens
4 during emergencies or crises;

5 (37) The State and counties on employees, prospective
6 employees, volunteers, and contractors whose position
7 responsibilities require unescorted access to secured
8 areas and equipment related to a traffic management
9 center;

10 (38) The State and counties on employees and prospective
11 employees whose positions involve the handling or use
12 of firearms for other than law enforcement purposes;

13 (39) The State and counties on current and prospective
14 systems analysts and others involved in an agency's
15 information technology operation whose position
16 responsibilities provide them with access to
17 proprietary, confidential, or sensitive information;

18 (40) The department of commerce and consumer affairs on:

19 (A) Applicants for real estate appraiser licensure or
20 certification as provided by chapter 466K;



- 1 (B) Each person who owns more than ten per cent of an
2 appraisal management company who is applying for
3 registration as an appraisal management company,
4 as provided by section 466L-7; and
- 5 (C) Each of the controlling persons of an applicant
6 for registration as an appraisal management
7 company, as provided by section 466L-7;
- 8 (41) The department of health or its designee on all
9 license applicants, licensees, employees, contractors,
10 and prospective employees of medical cannabis
11 dispensaries, and individuals permitted to enter and
12 remain in medical cannabis dispensary facilities as
13 provided under sections 329D-15(a)(4) and
14 329D-16(a)(3);
- 15 (42) The department of commerce and consumer affairs on
16 applicants for nurse licensure or license renewal,
17 reactivation, or restoration as provided by sections
18 457-7, 457-8, 457-8.5, and 457-9;
- 19 (43) The county police departments on applicants for
20 permits to acquire firearms pursuant to section 134-2
21 [~~and~~], on individuals registering their firearms



1 pursuant to section 134-3[+], and on applicants for
2 new or renewed licenses to carry a pistol or revolver
3 and ammunition pursuant to section 134-9;

4 (44) The department of commerce and consumer affairs on:

5 (A) Each of the controlling persons of the applicant
6 for licensure as an escrow depository, and each
7 of the officers, directors, and principals who
8 will be in charge of the escrow depository's
9 activities upon licensure; and

10 (B) Each of the controlling persons of an applicant
11 for proposed change in control of an escrow
12 depository licensee, and each of the officers,
13 directors, and principals who will be in charge
14 of the licensee's activities upon approval of the
15 application,

16 as provided by chapter 449;

17 (45) The department of taxation on current or prospective
18 employees or contractors who have access to federal
19 tax information in order to comply with requirements
20 of federal law, regulation, or procedure, as provided
21 by section 231-1.6;



1 (46) The department of labor and industrial relations on
2 current or prospective employees or contractors who
3 have access to federal tax information in order to
4 comply with requirements of federal law, regulation,
5 or procedure, as provided by section 383-110;

6 (47) The department of human services on current or
7 prospective employees or contractors who have access
8 to federal tax information in order to comply with
9 requirements of federal law, regulation, or procedure,
10 as provided by section 346-2.5;

11 (48) The child support enforcement agency on current or
12 prospective employees or contractors who have access
13 to federal tax information in order to comply with
14 federal law, regulation, or procedure, as provided by
15 section 576D-11.5;

16 (49) The department of the attorney general on current or
17 prospective employees or employees or agents of
18 contractors who have access to federal tax information
19 to comply with requirements of federal law,
20 regulation, or procedure, as provided by section
21 28-17;



1 [+](50)[+]The department of commerce and consumer affairs on
 2 each control person, executive officer, director,
 3 general partner, and managing member of an installment
 4 loan licensee, or an applicant for an installment loan
 5 license, as provided in chapter 480J;

6 [+](51)[+]The University of Hawaii on current and prospective
 7 employees and contractors whose duties include
 8 ensuring the security of campus facilities and
 9 persons; and

10 [+](52)[+]Any other organization, entity, or the State, its
 11 branches, political subdivisions, or agencies as may
 12 be authorized by state law."

13 SECTION 11. If any provision of this Act, or the
 14 application thereof to any person or circumstance, is held
 15 invalid, the invalidity does not affect other provisions or
 16 applications of the Act that can be given effect without the
 17 invalid provision or application, and to this end the provisions
 18 of this Act are severable.

19 SECTION 12. In codifying the new sections added by section
 20 2 of this Act, the revisor of statutes shall substitute



1 appropriate section numbers for the letters used in designating
2 the new sections in this Act.

3 SECTION 13. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 14. This Act shall take effect on January 1, 2050;
6 provided that the amendments made to section 846-2.7(b), Hawaii
7 Revised Statutes, by section 10 of this Act shall not be
8 repealed when that section is repealed and reenacted pursuant to
9 Act 278, Session Laws of Hawaii 2022.



Report Title:

Firearms; Concealed Carry; License to Carry; Sensitive Locations; Attorney General; Police; Insurance; Report

Description:

Prohibits issuing authorities from issuing permits to acquire the ownership of a firearm to any person where the issuance would not be in the interest of the public health, safety, or welfare because the person is found to be lacking the essential character or temperament necessary to be entrusted with a firearm. Requires issuing authorities to consider the risks associated with firearms in the home and consider the likelihood an applicant would bring the firearm outside of the home to engage in violence or carry unlawfully in public. Increases requirements for applicants seeking a license to carry a firearm. Sets minimum requirements for applications for a license to carry a concealed firearm. Establishes the crime of carrying a firearm in certain locations. Defines sensitive location. Requires licenses to carry concealed firearms be revoked if certain conditions are met. Requires the Attorney General to publish an annual report on licenses to carry firearms. Requires firearms be kept in a locked container and out of plain view when in an unattended vehicle. Defines locked container and makes conforming amendments. Amends the definition of "crime of violence" to include additional crimes. Requires a person carrying a firearm in public pursuant to a license to maintain insurance coverage. Establishes a duty to maintain possession of a license while carrying a firearm. Establishes a duty to disclose that a person is carrying a firearm when stopped by a law enforcement officer. Establishes an appeals process for the denial or revocation of an application for a permit to acquire the ownership of a firearm or to carry a concealed firearm. Allows county police departments to conduct criminal history record checks for licenses to carry a firearm. Establishes penalties for violations. Takes effect 1/1/2050. (SD1)

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

