

ACT 254

S.B. NO. 69

A Bill for an Act Relating to Firearms.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Under Hawaii's existing laws, a person arriving in the State with a firearm is required to register the firearm, but no permit process or background check is required. Therefore, individuals who might have been prohibited from acquiring a firearm in Hawaii can acquire a firearm outside of this State, where a permit process or extensive background check may not be required, then possess and be considered registered firearm owners after registering with the county police department.

The purpose of this Act is to require persons arriving in the State with firearms to undergo a background check before registering a firearm with the county police department. In addition, this Act extends the time period for persons bringing a firearm into the State to register the firearm, for consistency with the time period for registering firearms obtained in or imported into the State.

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

1. By amending subsection (a) to read:

“(a) Every person arriving in the State who brings or by any other manner causes to be brought into the State a firearm of any description, whether usable or unusable, serviceable or unserviceable, modern or antique, shall register the firearm within ~~three~~ five days after arrival of the person or of the firearm, whichever arrives later, with the chief of police of the county of the person’s place of business or, if there is no place of business, the person’s residence or, if there is neither a place of business nor residence, the person’s place of sojourn. A nonresident alien may bring firearms not otherwise prohibited by law into the State for a continuous period not to exceed ninety days; provided that the person meets the registration requirement of this section and the person possesses:

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

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

Every person registering a firearm under this subsection shall be fingerprinted and photographed by the police department of the county of registration; provided that this requirement shall be waived where fingerprints and photographs are already on file with the police department. The police department shall perform an inquiry on the person by using the National Instant Criminal Background Check System before any determination to register a firearm is made.”

2. By amending subsection (e) to read:

“(e) No fee shall be charged for the registration[-] of a firearm under this section, except for a fee chargeable by and payable to the registering county for persons registering a firearm under subsection (a), in an amount equal to the fee actually charged by the Federal Bureau of Investigation to the registering police department for a fingerprint check in connection with the registration. In the case of a joint registration, the fee provided for in this section may be charged to each person.”

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

SECTION 4. This Act shall take effect on July 1, 2013.

(Approved July 2, 2013.)