

JAN 23 2014

A BILL FOR AN ACT

RELATING TO FIREARMS REGISTRATION.

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

1 SECTION 1. The legislature finds that the registration of
2 firearms is intended for all gun owners in the State. The
3 registration process is necessary for public safety to insure
4 that a firearm is properly registered to an individual who is
5 qualified and capable of owning firearms. However, the
6 legislature finds that the current firearms registration process
7 is inefficient and requires excessive visits to county police
8 stations, wasting time and money.

9 The legislature further finds that the establishment of an
10 online firearms registration process will streamline the
11 registration process for firearm owners and registration
12 officials, providing for a more efficient registration process.

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

15 "**§134-3 Registration, mandatory, exceptions.** (a) Every
16 person arriving in the State who brings or by any other manner
17 causes to be brought into the State a firearm of any
18 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 National Instant
7 Criminal Background Check System before any determination to
8 register a firearm is made.

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



1 confidential and shall not be disclosed to anyone, except as may
2 be required for processing the registration or as may be
3 required by a law enforcement agency for the lawful performance
4 of its duties or as may be required by order of a court.

5 (c) Each county shall establish an online registration
6 process for registering firearms that generally requires no more
7 than two visits to the respective county police station per
8 registration. Any funds received from county firearm
9 registration fees shall be used to pay for online registration
10 processing costs.

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

17 [~~d~~] (e) Registration shall not be required for:

- 18 (1) Any device that is designed to fire loose black powder
19 or that is a firearm manufactured before 1899;
- 20 (2) Any device not designed to fire or made incapable of
21 being readily restored to a firing condition; or



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

5 ~~[(e)]~~ (f) No fee shall be charged for the registration of
6 a firearm under this section, except for a fee chargeable by and
7 payable to the registering county for persons registering a
8 firearm under subsection (a), in an amount equal to the fee
9 actually charged by the Federal Bureau of Investigation to the
10 registering police department for a fingerprint check in
11 connection with the registration. In the case of a joint
12 registration, the fee provided for in this section may be
13 charged to each person."

14 SECTION 3. Section 134-32, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "**§134-32 License to sell and manufacture firearms;**
17 **conditions.** Every license issued pursuant to this part shall be
18 issued and shall be regarded as having been accepted by the
19 licensee subject to the following conditions:

20 (1) That the licensee at all times shall comply with all
21 provisions of law relative to the sale of firearms.



- 1 (2) That the license during any time of national emergency
2 or crisis, as defined in section 134-34, may be
3 canceled or suspended.
- 4 (3) That all firearms in the possession and control of any
5 licensee at any time of national emergency or crisis,
6 as defined in section 134-34, may be seized and held
7 in possession or purchased by or on the order of the
8 governor until such time as the national emergency or
9 crisis has passed, or until such time as the licensee
10 and the government of the United States or the
11 government of the State may agree upon some other
12 disposition of the same.
- 13 (4) That all firearms in the possession and control of the
14 licensee or registered pursuant to section [~~134-3(e)~~]
15 134-3(d) by the licensee shall be subject to physical
16 inspection by the chief of police of each county
17 during normal business hours at the licensee's place
18 of business.
- 19 (5) That the license may be revoked for a violation of any
20 of the conditions of this section."

21 SECTION 4. Each county shall work with county personnel,
22 owners of firearms, and the Hawaii Rifle Association to create



1 and implement an online firearms registration process pursuant
2 to this Act by July 1, 2015, and shall submit a report to the
3 legislature, no later than twenty days prior to the convening of
4 the regular session of 2016, on the status of the new online
5 registration process.

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

8 SECTION 6. This Act shall take effect upon its approval.
9

INTRODUCED BY: Will Eyer



S.B. NO. 2938

Report Title:

Public Safety; County Firearms Online Registration

Description:

Requires each county to establish an online firearms registration process to be fully implemented by July 1, 2015.

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

