

JAN 18 2019

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 state law requires,
2 that a person who arrives in the State and who brings or by any
3 other manner causes to be brought into the State a firearm must
4 register the firearm with the applicable county police
5 department. However, Hawaii law does not explicitly require
6 that the arriving person be of a certain age in order to bring
7 the firearm into the State or subsequently register the firearm,
8 even though Hawaii law requires that a person who is already in
9 Hawaii and who wishes to apply for a permit to acquire ownership
10 of a firearm be at least twenty-one years old.

11 The purpose of this Act is to clarify that the same age
12 requirement applies to all of the foregoing individuals.

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



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

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



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

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

15 (b) Every person who acquires a firearm pursuant to
16 section 134-2 shall register the firearm in the manner
17 prescribed by this section within five days of acquisition. The
18 registration shall be on forms prescribed by the attorney
19 general, which shall be uniform throughout the State, and shall
20 include the following information: name of the manufacturer and
21 importer; model; type of action; caliber or gauge; serial



1 number; and source from which receipt was obtained, including
2 the name and address of the prior registrant. If the firearm
3 has no serial number, the permit number shall be entered in the
4 space provided for the serial number, and the permit number
5 shall be engraved upon the receiver portion of the firearm prior
6 to registration. All registration data that would identify the
7 individual registering the firearm by name or address shall be
8 confidential and shall not be disclosed to anyone, except as may
9 be required:

- 10 (1) For processing the registration;
- 11 (2) For database management by the Hawaii criminal justice
12 data center;
- 13 (3) By a law enforcement agency for the lawful performance
14 of its duties; or
- 15 (4) By order of a court.

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



- 1 (d) Registration shall not be required for:
- 2 (1) Any device that is designed to fire loose black powder
- 3 or that is a firearm manufactured before 1899;
- 4 (2) Any device not designed to fire or made incapable of
- 5 being readily restored to a firing condition; or
- 6 (3) All unserviceable firearms and destructive devices
- 7 registered with the Bureau of Alcohol, Tobacco, and
- 8 Firearms of the United States Department of Justice
- 9 pursuant to Title 27, Code of Federal Regulations.

10 (e) No fee shall be charged for the registration of a

11 firearm under this section, except for a fee chargeable by and

12 payable to the registering county for persons registering a

13 firearm under subsection (a), in an amount equal to the fee

14 charged by the Hawaii criminal justice data center pursuant to

15 section 846-2.7. In the case of a joint registration, the fee

16 provided for in this section may be charged to each person.

17 (f) No person less than twenty-one years of age shall

18 bring or cause to be brought into the State any firearm."

19 SECTION 3. This Act does not affect rights and duties that

20 matured, penalties that were incurred, and proceedings that were

21 begun before its effective date.



S.B. NO. 600

1 SECTION 4. New statutory material is underscored.

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

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INTRODUCED BY: Clarence W. Friskien



Rosaly H. Beck



S.B. NO. 600

Report Title:

Firearms; Registration; Importation; Age

Description:

Provides that no person less than 21 years of age shall bring any firearm into 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.

