

JAN 24 2019

A BILL FOR AN ACT

RELATING TO GUN VIOLENCE PROTECTIVE ORDERS.

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

1 SECTION 1. The legislature finds that the State has some
2 of the strongest gun safety laws in the nation and in 2016
3 received an A-minus rating from the Law Center to Prevent Gun
4 Violence. According to the Centers for Disease Control and
5 Prevention, Hawaii had the second-lowest number of gun deaths
6 per capita among the states in 2015.

7 However, the legislature also finds that an area in which
8 the State can improve its gun safety laws is gun violence
9 protective orders. Nationwide, active shooters have inflicted
10 great harm by killing and injuring innocent persons, sometimes
11 in tragic mass shootings such as the 2016 Orlando nightclub
12 shooting and the 2017 Las Vegas and Sutherland Springs church
13 shootings. In such cases, law enforcement or a member of the
14 shooter's family or household may have observed warning signs
15 before the shooting, but depending on the jurisdiction, they may
16 not have had the ability to petition a court to confiscate the
17 shooter's firearms and ammunition.



1 The legislature also finds that California, Oregon,
2 Washington and numerous other states have already implemented
3 gun violence protection laws, allowing for a family or household
4 member to file a petition for the temporary removal of guns from
5 an individual who shows clear and convincing signs of planning
6 to use these guns to commit violent acts.

7 The legislature further finds that section 134-7(f), Hawaii
8 Revised Statutes, already authorizes police to take custody of a
9 person's firearms and ammunition upon issuance of a restraining
10 order or order of protection by any court if the court finds the
11 person may use a firearm to threaten, injure, or abuse any
12 person. However, the statute does not address preventative
13 actions that may be taken by law enforcement or a family or
14 household member of an individual who shows clear and convincing
15 signs of planning to use these guns to commit violent acts.
16 Accordingly, the legislature believes that a more comprehensive
17 law is needed.

18 The purpose of this Act is to reduce gun deaths and
19 injuries in the State by establishing a detailed process that
20 allows a law enforcement officer or family or household member
21 to obtain a court order to prevent a person from accessing



1 firearms and ammunition if the person poses a danger of causing
2 bodily injury to the person or another.

3 SECTION 2. Chapter 134, Hawaii Revised Statutes, is
4 amended by adding a new part to be appropriately designated and
5 to read as follows:

6 "PART . GUN VIOLENCE PROTECTIVE ORDERS

7 §134-A Definitions. For the purposes of this part:

8 "Bodily injury" has the same meaning as in section 707-700.

9 "Business day" has the same meaning as in section 709-906.

10 "Ex parte gun violence protective order" means an order
11 issued by the family court, pursuant to section 134-D,
12 prohibiting the respondent from owning, purchasing, possessing,
13 receiving, or having in the respondent's custody or control any
14 firearm or ammunition until the court-scheduled hearing for a
15 one-year gun violence protective order.

16 "Family or household member" means any spouse or reciprocal
17 beneficiary, former spouse or former reciprocal beneficiary,
18 person with whom the respondent has a child in common, parent,
19 child, person related by consanguinity, person related by
20 adoption, person jointly residing or who formerly jointly
21 resided with a respondent in the same dwelling unit as a



1 respondent, person who has or has had a dating relationship, or
2 person who is or has acted as the respondent's legal guardian.
3 "Family or household member" includes a person who is an adult
4 roommate or a co-habitant of a respondent.

5 "One-year gun violence protective order" means an order
6 issued by the family court, pursuant to section 134-E,
7 prohibiting the respondent from owning, purchasing, possessing,
8 receiving, or having in the respondent's custody or control any
9 firearm or ammunition for a period of one year.

10 "Petitioner" means a law enforcement officer or a family or
11 household member of the respondent who files a petition pursuant
12 to section 134-D or section 134-E.

13 "Respondent" means the person identified in the petition
14 filed pursuant to section 134-D or section 134-E.

15 **§134-B Court jurisdiction.** A petition for relief under
16 this part may be filed in any family court in the circuit in
17 which the petitioner resides. A petition under this part shall
18 be given docket priority by the court.

19 **§134-C Commencement of action; forms.** (a) A petitioner
20 may seek a gun violence protective order by filing a written
21 petition for relief upon forms provided by the court. The court



1 shall designate an employee or appropriate non-judicial agency
2 to assist the petitioner in completing the petition.

3 (b) The petition shall allege, under penalty of perjury,
4 the grounds for issuance of the order and shall be accompanied
5 by an affidavit made under oath or a statement made under
6 penalty of perjury containing detailed allegations based on
7 personal knowledge that the respondent poses a danger of causing
8 bodily injury to the respondent's self or another person by
9 owning, purchasing, possessing, receiving, or having in the
10 respondent's custody or control any firearm or ammunition, and
11 specific facts and circumstances in support thereof, as well as
12 the number, types, and locations of any firearms or ammunition
13 presently believed by the petitioner to be possessed or
14 controlled by the respondent. The petition shall also state, if
15 known to the petitioner, whether there is an existing
16 restraining order or protective order in effect governing the
17 respondent and whether there is any pending lawsuit, complaint,
18 petition, or other action between the parties under the laws of
19 this State. The judiciary shall verify the terms of any
20 existing order governing the parties. The court shall not delay
21 granting relief because of the existence of a pending action



1 between the parties or the necessity of verifying the terms of
2 an existing order. A petition for a gun violence protective
3 order may be granted regardless of whether there is a pending
4 action between the parties.

5 (c) If the respondent is alleged to pose an imminent
6 danger of causing bodily injury to a family or household member,
7 or a family or household member is alleged to have been the
8 target of a threat or act of violence by the respondent, the
9 petitioner shall make a good faith effort to provide notice of
10 these allegations to any and all adult family or household
11 members of the respondent. The notice shall also state that the
12 petitioner intends to petition the court for a gun violence
13 protective order and, if the petitioner is a law enforcement
14 officer, shall include a referral to relevant domestic violence
15 or stalking prevention advocacy or counseling resources, if
16 appropriate. The petitioner shall attest to having provided the
17 notice in the petition. If, after making a good faith effort,
18 the petitioner is unable to provide notice to any or all adult
19 family or household members of the respondent, the petition
20 shall describe what efforts were made to provide notice.



1 (d) All health records and other health information
2 provided in a petition or considered as evidence in a proceeding
3 under this part shall be sealed by the court, except that the
4 identities of the petitioner and respondent may be provided to
5 law enforcement agencies as set forth in section 134-I.
6 Aggregate statistical data about the numbers of gun violence
7 protective orders issued, renewed, denied, dissolved, or
8 terminated shall be made available to the public upon request.

9 (e) Upon receipt of the petition, the court shall set a
10 date for hearing on the petition within fourteen days,
11 regardless of whether the court issues an ex parte gun violence
12 protective order pursuant to section 134-D. If the court issues
13 an ex parte gun violence protective order pursuant to section
14 134-D, notice of the hearing shall be served on the respondent
15 with the ex parte order. Notice of the hearing shall be
16 personally served on the respondent by an officer of the
17 appropriate county police department.

18 **§134-D Ex parte gun violence protective order.** (a) A
19 petitioner may request that an ex parte gun violence protective
20 order be issued before a hearing for a one-year gun violence
21 protective order, without notice to the respondent.



1 (b) The court shall issue or deny an ex parte gun violence
2 protective order on the same day that the petition is submitted
3 to the court, unless the petition is filed too late in the day
4 to permit effective adjudication, in which case the order shall
5 be issued or denied on the next business day.

6 (c) Before issuing an ex parte gun violence protective
7 order the court shall examine under oath the petitioner and any
8 witnesses the petitioner may produce. The court may also:

9 (1) Ensure that a reasonable search has been conducted of
10 all available records to determine whether the
11 respondent owns any firearms or ammunition; and

12 (2) Ensure that a reasonable search has been conducted for
13 criminal history and mental health records related to
14 the respondent that are readily available to the
15 court.

16 (d) In determining whether sufficient grounds for an ex
17 parte gun violence protective order exist, the court shall
18 consider all relevant evidence presented by the petitioner, and
19 may also consider other relevant evidence, including evidence of
20 facts relating to the respondent's:



- 1 (1) Unlawful, reckless, or negligent use, display,
2 storage, possession, or brandishing of a firearm;
- 3 (2) Act or threat of violence against the respondent's
4 self or another person, regardless of whether the
5 violence involves a firearm;
- 6 (3) Violation of a protective order or restraining order
7 issued pursuant to chapter 586 or section 604-10.5, or
8 a similar law in another state;
- 9 (4) Abuse of controlled substances or alcohol or
10 commission of any criminal offense that involves
11 controlled substances or alcohol; and
- 12 (5) Recent acquisition of firearms, ammunition, or other
13 deadly weapons.
- 14 (e) The court shall also consider the time that has
15 elapsed since the events described in subsection (d).
- 16 (f) If the court finds probable cause to believe that the
17 respondent poses an imminent danger of causing bodily injury to
18 the respondent's self or another person by owning, purchasing,
19 possessing, receiving, or having in the respondent's custody or
20 control any firearm or ammunition, the court shall issue an ex
21 parte gun violence protective order.



1 (g) An ex parte gun violence protective order issued
2 pursuant to this section shall include:

3 (1) A statement that the respondent shall not own,
4 purchase, possess, receive, transfer ownership of, or
5 have in the respondent's custody or control, or
6 attempt to purchase, receive, or transfer ownership of
7 any firearm or ammunition while the order is in
8 effect;

9 (2) A description of the requirements for relinquishment
10 of firearms and ammunition under section 134-G;

11 (3) A statement of the grounds asserted for the order;

12 (4) A notice of the hearing under section 134-C(e) to
13 determine whether to issue a one-year gun violence
14 protective order, including the address of the court
15 and the date and time when the hearing is scheduled;

16 (5) A statement that at the hearing, the court may extend
17 the order for one year; and

18 (6) A statement that the respondent may seek the advice of
19 an attorney as to any matter connected with the order,
20 and that the attorney should be consulted promptly so



1 that the attorney may assist the respondent in any
2 matter connected with the order.

3 (h) An ex parte gun violence protective order issued
4 pursuant to this section shall be personally served on the
5 respondent by an officer of the appropriate county police
6 department.

7 (i) In accordance with section 134-C(e), the court shall
8 schedule a hearing within fourteen days of the issuance of an ex
9 parte gun violence protective order to determine if a one-year
10 gun violence protective order shall be issued. A respondent may
11 seek an extension of time before the hearing. The court shall
12 dissolve any ex parte gun violence protective order in effect
13 against the respondent if the court subsequently holds the
14 hearing and issues or denies a one-year gun violence protective
15 order.

16 **§134-E One-year gun violence protective order issued after**
17 **notice and hearing.** (a) A petitioner requesting a one-year gun
18 violence protective order shall include in the petition detailed
19 allegations based on personal knowledge that the respondent
20 poses a significant danger of causing a self-inflicted bodily
21 injury or an injury to another person by owning, purchasing,



1 possessing, receiving, or having in the respondent's custody or
2 control any firearm or ammunition.

3 (b) Before a hearing for a one-year gun violence
4 protective order, the court shall:

5 (1) Ensure that a reasonable search has been conducted of
6 all available records to determine whether the
7 respondent owns any firearms or ammunition; and

8 (2) Ensure that a reasonable search has been conducted for
9 criminal history and mental health records related to
10 the respondent that are readily available to the
11 court.

12 (c) In determining whether to issue a one-year gun
13 violence protective order under this section, the court shall
14 consider all relevant evidence presented by the petitioner and
15 the respondent, and may also consider other relevant evidence,
16 including but not limited to evidence of the facts identified in
17 section 134-D(d).

18 (d) If the court finds by a preponderance of the evidence
19 at the hearing that the respondent poses a significant danger of
20 causing bodily injury to the respondent's self or another person



1 by owning, purchasing, possessing, receiving, or having in the
2 respondent's custody or control any firearm or ammunition,
3 the court shall issue a one-year gun violence protective order.

4 (e) A one-year gun violence protective order issued
5 pursuant to this section shall include all of the following:

- 6 (1) A statement that the respondent shall not own,
7 purchase, possess, receive, transfer ownership of, or
8 have in the respondent's custody or control, or
9 attempt to purchase, receive, or transfer ownership of
10 any firearm or ammunition while the order is in
11 effect;
- 12 (2) A description of the requirements for relinquishment
13 of firearms and ammunition under section 134-G;
- 14 (3) A statement of the grounds supporting the issuance of
15 the order;
- 16 (4) The date and time the order expires;
- 17 (5) The address of the court that issued the order;
- 18 (6) A statement that the respondent may request a hearing
19 to terminate the order at any time during its
20 effective period;



1 (7) A statement that the respondent may seek the advice of
2 an attorney as to any matter connected to the order;

3 (8) A statement of whether the respondent was present in
4 court to be advised of the contents of the order or
5 whether the respondent failed to appear; and

6 (9) A statement that if the respondent was present in
7 court, the respondent's presence shall constitute
8 proof of service of notice of the terms of the order.

9 (f) If the respondent fails to appear at the hearing, a
10 one-year gun violence protective order issued pursuant to this
11 section shall be personally served on the respondent by an
12 officer of the appropriate county police department.

13 **§134-F Termination and renewal.** (a) The respondent named
14 in a one-year gun violence protective order issued under section
15 134-E may submit a written request at any time during the
16 effective period of the order for a hearing to terminate the
17 order. Upon receipt of the written request for termination:

18 (1) The court shall set a date for a hearing. Notice of
19 the request shall be personally served on the
20 petitioner by any person authorized by section 634-21.

21 The hearing shall occur no sooner than fourteen days



1 from the date of service of the request upon the
2 petitioner; and

- 3 (2) The respondent seeking termination of the order shall
4 have the burden of proving by a preponderance of the
5 evidence that the respondent does not pose a
6 significant danger of causing bodily injury to the
7 respondent's self or another person by owning,
8 purchasing, possessing, receiving, or having in the
9 respondent's custody or control any firearm or
10 ammunition.

11 If the court finds after the hearing that the respondent has met
12 the respondent's burden, the court shall terminate the order.

13 (b) A petitioner may submit a written request for a
14 renewal of a one-year gun violence protective order within three
15 months prior to the expiration of the order. Upon receipt of
16 the written request for renewal, the court:

- 17 (1) In determining whether to renew a one-year gun
18 violence protective order, after notice to the
19 respondent, shall have all relevant evidence presented
20 by the petitioner and the respondent and may also



1 consider other relevant evidence, including evidence
2 of the facts identified in section 134-D(d); and

3 (2) May renew a one-year gun violence protective order if
4 the court finds by a preponderance of the evidence
5 that the respondent continues to pose a significant
6 danger of causing bodily injury to the respondent's
7 self or another person by owning, purchasing,
8 possessing, receiving, or having in the respondent's
9 custody or control any firearm or ammunition.

10 A one-year gun violence protective order renewed pursuant to
11 this section shall expire after one year, subject to termination
12 by further order of the court at a hearing held pursuant to
13 subsection (a) and further renewal by order of the court
14 pursuant to this subsection.

15 **§134-G Relinquishment of firearms and ammunition. (a)**

16 Upon issuance of an ex parte or one-year gun violence protective
17 order, the court shall order the respondent to voluntarily
18 surrender or dispose of all firearms and ammunition that the
19 respondent owns or possesses, or has in the respondent's custody
20 or control, in accordance with section 134-7.3(b).



1 (b) A police officer serving a gun violence protective
2 order may take custody of any and all firearms and ammunition in
3 accordance with the procedure described in section 134-7(f).
4 Alternatively, if personal service by a police officer is not
5 possible, the respondent shall surrender the firearms and
6 ammunition in a safe manner to the control of the chief of
7 police where the respondent resides within forty-eight hours of
8 being served with the order.

9 (c) At the time of surrender or removal, a police officer
10 taking possession of a firearm or ammunition pursuant to a gun
11 violence protective order shall issue a receipt identifying all
12 firearms and ammunition that have been surrendered or removed
13 and provide a copy of the receipt to the respondent. Within
14 seventy-two hours after being served with the order, the officer
15 serving the order shall file the original receipt with the court
16 that issued the gun violence protective order, and shall ensure
17 that the appropriate county police department retains a copy of
18 the receipt.

19 (d) A court that has probable cause to believe a
20 respondent to a gun violence protective order owns, possesses,
21 or has in the respondent's custody or control any firearms or



1 ammunition that the respondent has failed to surrender pursuant
2 to this section, or has received or purchased a firearm or
3 ammunition while subject to the order, shall issue a warrant
4 describing the firearm or ammunition and authorizing a search of
5 any location where the firearm or ammunition is reasonably
6 believed to be and the seizure of any firearm or ammunition
7 discovered pursuant to the search.

8 (e) The appropriate county police department may charge
9 the respondent a fee not to exceed the reasonable and actual
10 costs incurred by the department for storing a firearm or
11 ammunition surrendered pursuant to this section for the duration
12 of the gun violence protective order and any additional periods
13 necessary under section 134-H.

14 **§134-H Return and disposal of firearms or ammunition.** (a)
15 Thirty days before a one-year gun violence protective order is
16 set to expire, a county police department holding any firearm or
17 ammunition that has been surrendered pursuant to the order shall
18 notify the petitioner that the order is set to expire. The
19 notice shall advise the petitioner of the procedures for seeking
20 a renewal of the order pursuant to section 134-F.



1 (b) If a gun violence protective order is terminated or
2 expires and is not renewed, a county police department holding
3 any firearm or ammunition that has been surrendered pursuant to
4 section 134-G shall notify the respondent that the respondent
5 may request the return of the firearm or ammunition. A county
6 police department shall return any surrendered firearm or
7 ammunition requested by a respondent only after confirming,
8 through a criminal history background check, that the respondent
9 is currently eligible to own or possess firearms and ammunition.

10 (c) A respondent who has surrendered any firearm or
11 ammunition to a county police department pursuant to section
12 134-G and who does not wish to have the firearm or ammunition
13 returned, or who is no longer eligible to own or possess
14 firearms or ammunition, may sell or transfer title of the
15 firearm or ammunition to a firearms dealer licensed under
16 section 134-31. The department shall transfer possession of the
17 firearm or ammunition to a firearms dealer licensed under
18 section 134-31 only after the dealer has provided written proof
19 of transfer of the firearm or ammunition from the respondent to
20 the dealer and the department has verified the transfer with the
21 respondent.



1 (d) If a person other than the respondent claims title to
2 any firearm or ammunition surrendered pursuant to section 134-G,
3 and that person is determined by the appropriate county police
4 department to be the lawful owner of the firearm or ammunition,
5 the firearm or ammunition shall be returned to the lawful owner.

6 (e) A county police department holding any firearm or
7 ammunition that was surrendered by a respondent pursuant to
8 section 134-G may dispose of the firearm or ammunition only
9 after six months from the date of proper notice to the
10 respondent of the department's intent to dispose of the firearm
11 or ammunition, unless the firearm or ammunition has been claimed
12 by the lawful owner. If the firearm or ammunition remain
13 unclaimed after six months from the date of notice, then no
14 party shall thereafter have the right to assert ownership
15 thereof and the department may dispose of the firearm or
16 ammunition.

17 (f) For the purposes of this section, "dispose" means
18 selling the firearm or ammunition to a firearms dealer licensed
19 under section 134-31, or destroying the firearm or ammunition.

20 **§134-I Reporting of order to Hawaii criminal justice data**
21 **center.** (a) The court shall notify the Hawaii criminal justice



1 data center no later than one business day after issuing,
2 renewing, dissolving, or terminating an ex parte or one-year gun
3 violence protective order under this part.

4 (b) The information required to be submitted to the Hawaii
5 criminal justice data center pursuant to this section shall
6 include identifying information about the petitioner and
7 respondent and the date the order was issued, renewed,
8 dissolved, or terminated. In the case of a one-year order, the
9 court shall include the date the order is set to expire.

10 (c) Within one business day of service, a police officer
11 who serves a gun violence protective order shall submit the
12 proof of service to the Hawaii criminal justice data center.

13 (d) The Hawaii criminal justice data center shall maintain
14 a searchable database of the information it receives under this
15 section and make the information available to law enforcement
16 agencies upon request.

17 (e) The Hawaii criminal justice data center shall
18 immediately make information about an ex parte or one-year gun
19 violence protective order issued, renewed, dissolved, or
20 terminated pursuant to this chapter available to the National



1 Instant Criminal Background Check System for the purposes of
2 firearm purchaser background checks.

3 **§134-J Penalties.** A person who files a petition for a gun
4 violence protective order under this part, knowing the
5 information in the petition to be materially false or with an
6 intent to harass the respondent, is guilty of a misdemeanor.

7 **§134-K Law enforcement to retain other authority.** The
8 provisions of this part shall not affect the ability of a law
9 enforcement officer to remove firearms or ammunition from any
10 person pursuant to other lawful authority.

11 **§134-L Lack of liability for failure to seek order.** This
12 part shall not be construed to impose criminal or civil
13 liability on any person who chooses not to seek a gun violence
14 protective order pursuant to this part."

15 SECTION 3. Section 134-7, Hawaii Revised Statutes, is
16 amended by amending subsection (f) to read as follows:

17 "(f) No person who has been restrained pursuant to an
18 order of any court, including [~~an ex parte order as provided in~~
19 ~~this subsection,~~] a gun violence protective order issued
20 pursuant to part _____, from contacting, threatening, or
21 physically abusing any person, shall possess, control, or



1 transfer ownership of any firearm or ammunition therefor, so
2 long as the protective order, restraining order, or any
3 extension is in effect, unless the order, for good cause shown,
4 specifically permits the possession of a firearm and ammunition.
5 The protective order or restraining order [~~or order of~~
6 ~~protection~~] shall specifically include a statement that
7 possession, control, or transfer of ownership of a firearm or
8 ammunition by the person named in the order is prohibited.
9 [~~Such~~] The person shall relinquish possession and control of any
10 firearm and ammunition owned by that person to the police
11 department of the appropriate county for safekeeping for the
12 duration of the order or extension thereof. [~~In the case of an~~
13 ~~ex parte order, the affidavit or statement under oath that forms~~
14 ~~the basis for the order shall contain a statement of the facts~~
15 ~~that support a finding that the person to be restrained owns,~~
16 ~~intends to obtain or to transfer ownership of, or possesses a~~
17 ~~firearm, and that the firearm may be used to threaten, injure,~~
18 ~~or abuse any person. The ex parte order shall be effective upon~~
19 ~~service pursuant to section 586-6.] At the time of service of a
20 protective order or restraining order involving firearms and
21 ammunition issued by any court, the police officer may take~~



1 custody of any and all firearms and ammunition in plain sight,
2 those discovered pursuant to a consensual search, and those
3 firearms surrendered by the person restrained. If the person
4 restrained is the registered owner of a firearm and knows the
5 location of the firearm, but refuses to surrender the firearm or
6 refuses to disclose the location of the firearm, the person
7 restrained shall be guilty of a misdemeanor. In any case, when
8 a police officer is unable to locate the firearms and ammunition
9 either registered under this chapter or known to the person
10 granted protection by the court, the police officer shall apply
11 to the court for a search warrant pursuant to chapter 803 for
12 the limited purpose of seizing the firearm and ammunition.

13 For the purposes of this subsection, good cause shall not
14 be based solely upon the consideration that the person subject
15 to restraint pursuant to an order of any court[, ~~including an ex~~
16 ~~parte order as provided for in this subsection,~~] is required to
17 possess or carry firearms or ammunition during the course of the
18 person's employment. Good cause consideration may include but
19 not be limited to the protection and safety of the person to
20 whom a restraining order is granted."



1 SECTION 4. Section 134-7.3, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By amending subsection (b) to read:

4 "(b) Any person disqualified from ownership, possession,
5 or control of firearms and ammunition under section 134-7[~~7~~] or
6 part _____, within [~~seven days~~] forty-eight hours of
7 disqualification, shall voluntarily surrender all firearms and
8 ammunition to the chief of police where the person resides or
9 dispose of all firearms and ammunition. If any person fails to
10 voluntarily surrender or dispose of all firearms and ammunition
11 within [~~seven days~~] forty-eight hours from the date of
12 disqualification, the chief of police may seize all firearms and
13 ammunition."

14 2. By amending subsection (d) to read:

15 "(d) For the purposes of this section, "dispose" means
16 selling the firearms to a gun dealer licensed under section 134-
17 31, transferring ownership of the firearms to any person who
18 meets the requirements of section 134-2, or surrendering all
19 firearms to the chief of police where the person resides for
20 storage or disposal; provided, for a person subject to section
21 134-7(f)[~~7~~] or part _____, "dispose" shall not include



1 transferring ownership of the firearms to any person who meets
2 the requirements of section 134-2."

3 SECTION 5. The judiciary shall adopt any rules of court
4 necessary to implement this Act.

5 SECTION 6. The department of the attorney general shall
6 adopt any rules, pursuant to chapter 91, Hawaii Revised
7 Statutes, necessary to implement this Act.

8 SECTION 7. The chiefs of police of the respective counties
9 shall adopt any procedures necessary to implement this Act.

10 SECTION 8. This Act does not affect rights and duties that
11 matured, penalties that were incurred, and proceedings that were
12 begun before its effective date.

13 SECTION 9. In codifying the new sections added by section
14 2 of this Act, the revisor of statutes shall substitute
15 appropriate section numbers for the letters used in designating
16 the new sections in this Act.

17 SECTION 10. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.



1 SECTION 11. This Act shall take effect on January 1, 2020;
 2 provided that sections 5, 6, and 7 shall take effect on July 1,
 3 2019.

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INTRODUCED BY: Kal Rhooad

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Rosalyn de Bot

Kurt Fevilla

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S.B. NO. 1466

Report Title:

Firearms; Gun Violence; Protective Orders

Description:

Establishes a process by which a law enforcement officer or family or household member may obtain a court order to prevent a person from accessing firearms and ammunition when the person poses a danger of causing bodily injury to oneself or another.

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

