

STAND. COM. REP. NO. 3729

Honolulu, Hawaii

JUN 30 2020

RE: H.B. No. 2744
H.D. 1
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2744, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO GUN VIOLENCE PREVENTION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish the Gun Violence and Violent Crimes Commission to address gun violence and violent crimes in Hawaii;
- (2) Make it a class C felony to purchase, manufacture, or otherwise obtain firearm parts for the purpose of assembling a firearm having no serial number; and
- (3) Amend certain requirements relating to firearms registration.

Prior to decision-making on this measure, your Committee posted and made available for public review a proposed S.D. 2, which amends this measure by:

- (1) Deleting language that would have exempted the Gun Violence and Violent Crimes Commission from the state Sunshine Law; and



- (2) Inserting an effective date of January 1, 2021.

Your Committee received testimony in support of the proposed S.D. 2 from the Honolulu Police Department, Moms Demand Action, Civil Beat Law Center for the Public Interest, Church of the Crossroads, Hawaii Professional Chapter of the Society of Professional Journalists, and twenty-eight individuals. Your Committee received testimony in opposition to the proposed S.D. 2 from the Hawaii Republican Party, Hawaii Rifle Association, National Rifle Association of America, Schofield Rod and Gun Club, Hawaii Firearms Coalition, one hundred six individuals, and form letters from one hundred forty-eight individuals. Your Committee received comments on the proposed S.D. 2 from the Department of the Attorney General and one individual.

Your Committee finds that gun violence and violent crimes continue to be a major concern of the State. Your Committee believes that a state entity responsible for research and coordination of preventative measures against gun violence and violent crimes is necessary to provide a safe environment for residents and visitors of the State.

Your Committee also finds that the State currently lacks laws addressing firearms that are assembled without serial numbers or other identification markings, also known as "ghost guns". These firearms may be assembled from a prepackaged kit or three-dimensional printer requiring only minimal expertise and, thus, bypass the State's otherwise strict firearm permitting and registration laws. This measure prohibits the manufacture, purchase, or obtaining of firearm parts for the purpose of assembling a firearm having no serial number to ensure public safety.

Your Committee has amended this measure by adopting the proposed S.D. 2 and further amending the measure by:

- (1) Specifying that the Gun Violence and Violent Crimes Commission shall submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than forty days prior to the convening of the Regular Session of 2022 and each Regular Session thereafter, on policy relating to preventing gun violence and violent crimes;



- (2) Making it effective upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2744, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2744, H.D. 1, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,

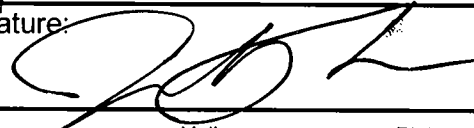


KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

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|---|---|---------------------------------------|----------------------------------|---------|
| Bill / Resolution No.:* | Committee Referral: | Date: | | |
| HB 2744 HD1 SD1 | PSM, JDC | 06/25/2020 | | |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____ | | | | |
| The Recommendation is: | | | | |
| <input type="checkbox"/> Pass, unamended 2312 | <input checked="" type="checkbox"/> Pass, with amendments 2311 | <input type="checkbox"/> Hold 2310 | | |
| <input type="checkbox"/> Recommit 2313 | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| RHOADS, Karl (C) | / | | | |
| KEOHOKALOLE, Jarrett (VC) | / | | | |
| GABBARD, Mike | | / | | |
| KIM, Donna Mercado | / | | | |
| FEVELLA, Kurt | | | / | |
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| TOTAL | 3 | 1 | 1 | |
| Recommendation: | | | | |
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature: | | | | |
|  | | | | |
| Distribution: | | | | |
| Original File with Committee Report | Yellow Clerk's Office | Pink Drafting Agency | Goldenrod Committee File Copy | |

*Only one measure per Record of Votes