
A BILL FOR AN ACT

RELATING TO FIREARMS.

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

1 SECTION 1. Section 134-3, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By amending subsections (a) and (b) to read:

4 "(a) Every person arriving in the State who brings or by
5 any other manner causes to be brought into the State a firearm
6 of any description, whether usable or unusable, serviceable or
7 unserviceable, modern or antique, shall register the firearm
8 within five days after arrival of the person or of the firearm,
9 whichever arrives later, with the chief of police of the county
10 of the person's place of business or, if there is no place of
11 business, the person's residence or, if there is neither a place
12 of business nor residence, the person's place of sojourn[-];
13 provided that the duty to register the firearm shall be an
14 ongoing duty, and failure to register the firearm within five
15 days of arrival shall not relieve the person of the duty to
16 register the firearm thereafter.



1 A nonresident alien may bring firearms not otherwise
2 prohibited by law into the State for a continuous period not to
3 exceed ninety days; provided that the person meets the
4 registration requirement of this section and the person
5 possesses:

- 6 (1) A valid Hawaii hunting license procured under chapter
7 183D, part II, or a commercial or private shooting
8 preserve permit issued pursuant to section 183D-34;
- 9 (2) A written document indicating the person has been
10 invited to the State to shoot on private land; or
- 11 (3) Written notification from a firing range or target
12 shooting business indicating that the person will
13 actually engage in target shooting.

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

17 Every person registering a firearm under this subsection
18 shall be fingerprinted and photographed by the police department
19 of the county of registration; provided that this requirement
20 shall be waived where fingerprints and photographs are already
21 on file with the police department. The police department shall



1 perform an inquiry on the person by using the International
2 Justice and Public Safety Network, including the United States
3 Immigration and Customs Enforcement query, the National Crime
4 Information Center, and the National Instant Criminal Background
5 Check System, pursuant to section 846-2.7 before any
6 determination to register a firearm is made.

7 (b) Every person who acquires a firearm pursuant to
8 section 134-2 shall register the firearm in the manner
9 prescribed by this section within five days of acquisition[-];
10 provided that the duty to register the firearm shall be an
11 ongoing duty, and failure to register the firearm within five
12 days of acquisition shall not relieve the person of the duty to
13 register the firearm thereafter.

14 The registration shall be on forms prescribed by the
15 attorney general, which shall be uniform throughout the State,
16 and shall include the following information: name of the
17 manufacturer and importer; model; type of action; caliber or
18 gauge; serial number; and source from which receipt was
19 obtained, including the name and address of the prior
20 registrant. If the firearm has no serial number, the permit
21 number shall be entered in the space provided for the serial



1 number, and the permit number shall be engraved upon the
2 receiver portion of the firearm prior to registration. All
3 registration data that would identify the individual registering
4 the firearm by name or address shall be confidential and shall
5 not be disclosed to anyone, except as may be required:

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

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

13 "(d) Registration, including any ongoing duty to register
14 pursuant to this section, shall not be required for:

- 15 (1) Any device that is designed to fire loose black powder
16 or that is a firearm manufactured before 1899;
- 17 (2) Any device not designed to fire or made incapable of
18 being readily restored to a firing condition; or
- 19 (3) All unserviceable firearms and destructive devices
20 registered with the Bureau of Alcohol, Tobacco, and



1 Firearms of the United States Department of Justice
2 pursuant to Title 27, Code of Federal Regulations."

3 SECTION 2. Section 134-17, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "**§134-17 Penalties.** (a) If any person gives false
6 information or offers false evidence of the person's identity in
7 complying with any of the requirements of this part, that person
8 shall be guilty of a misdemeanor, provided, however that if any
9 person intentionally gives false information or offers false
10 evidence concerning their psychiatric or criminal history in
11 complying with any of the requirements of this part, that person
12 shall be guilty of a class C felony.

13 (b) Any person who violates section 134-3(a) shall be
14 guilty of a petty misdemeanor[-]; provided that this subsection
15 shall not apply when the violation is discovered solely due to
16 the person registering the firearm after the time period
17 specified in section 134-3(a).

18 (c) Any person who violates section 134-2, 134-4, 134-10,
19 134-15, or 134-16(a) shall be guilty of a misdemeanor.

20 (d) Any person who violates section 134-3(b) shall be
21 guilty of a petty misdemeanor and the firearm shall be



1 confiscated as contraband and disposed of, if the firearm is not
2 registered within five days of the person receiving notice of
3 the violation[-]; provided that this subsection shall not apply
4 when the violation is discovered solely due to the person
5 registering the firearm after the time period specified in
6 section 134-3 (b) ."

7 SECTION 3. This Act does not affect rights and duties that
8 matured, penalties that were incurred, and proceedings that were
9 begun before its effective date.

10 SECTION 4. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

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

13



Report Title:

Firearms; Registration

Description:

Clarifies that failure to register a firearm within the required time period does not relieve the owner of the duty to register the firearm. Allows the owner of an unregistered firearm to register the firearm thereafter without penalty. (SD1)

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

