RELATING TO FIREARMS.

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

SECTION 1. The legislature notes that under Hawaii's firearms permitting laws, permits to acquire rifles and shotguns remain in effect for one year from the date of issuance. The legislature finds that the duration of the permit's validity effectively allows the permit holder to acquire as many rifles and shotguns as the permit holder desires, without undergoing any additional or follow-up background checks. This may result in a situation where a permit holder who has become ineligible to purchase firearms subsequent to the permit's issuance is still able to do so with the previously issued permit that remains in effect.

The legislature finds this situation to be unacceptable. The legislature believes that the permitting procedure for acquiring rifles and shotguns should align with the procedure for revolvers and pistols, which involves much shorter time frames.

Accordingly, the purpose of this Act is to:
(1) Require a separate application and permit for the
acquisition of each rifle or shotgun and shorten the
duration of the permit's validity from one year to ten
days; and
(2) Amend section 463-10.5, Hawaii Revised Statutes, which
requires an armed security guard to possess a valid
permit to acquire a firearm, to instead require the
possession of a valid license to carry a firearm.

SECTION 2. Section 134-2, Hawaii Revised Statutes, is
amended by amending subsection (e) to read as follows:
"(e) The permit application form shall be signed by the
applicant and by the issuing authority. One copy of the permit
shall be retained by the issuing authority as a permanent
official record. Except for sales to dealers licensed under
section 134-31, or dealers licensed by the United States
Department of Justice, or law enforcement officers, or where a
license is granted under section 134-9, or where any firearm is
registered pursuant to section 134-3(a), no permit shall be
issued to an applicant earlier than fourteen calendar days after
the date of the application; provided that a permit shall be
issued or the application denied before the twentieth day from
the date of application. Permits issued to acquire any pistol, revolver, rifle, or shotgun shall be void unless used within ten days after the date of issue. Permits to acquire a pistol, revolver, rifle, or shotgun shall require a separate application and permit for each transaction. Permits issued to acquire any rifle or shotgun shall entitle the permittee to make subsequent purchases of rifles or shotguns for a period of one year from the date of issue without a separate application and permit for each acquisition, subject to the disqualifications under section 134-7 and subject to revocation under section 134-13; provided that if a permittee is arrested for committing a felony or any crime of violence or for the illegal sale of any drug, the permit shall be impounded and shall be surrendered to the issuing authority. The issuing authority shall perform an inquiry on an applicant by using the International Justice and Public Safety Network, including the United States Immigration and Customs Enforcement query, the National Crime Information Center, and the National Instant Criminal Background Check System, pursuant to section 846-2.7 before any determination to issue a permit or to deny an application is made."
SECTION 3. Section 463-10.5, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

"(e) Before beginning employment as a guard or in a guard capacity, in addition to the classroom instruction required by this section, guards and individuals acting in a guard capacity who carry a firearm or other weapon, including but not limited to an electric gun as defined in section 134-1, while on-duty in a guard capacity shall possess a valid [permit to acquire the ownership of a] license to carry a firearm issued by county police pursuant to [section 134-2] procedures established by each county police department under section 134-9 and shall satisfy the safety and suitability requirements of section [134-2(g)] 134-9(b)."

SECTION 4. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

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

SECTION 6. This Act shall take effect upon its approval.
Report Title:
Firearms; Permits to Acquire; Rifles; Shotguns

Description:
Requires a separate application and permit for the acquisition of each rifle or shotgun and shortens the duration of the permit's validity from 1 year to 10 days.

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