

Honolulu, Hawaii

FEB 19 2015

RE: S.B. No. 473

S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Public Safety, Intergovernmental and
Military Affairs, to which was referred S.B. No. 473 entitled:

"A BILL FOR AN ACT RELATING TO FIREARMS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Codify federal law to allow active and retired law enforcement officers to carry a concealed firearm in Hawaii pursuant to the federal Law Enforcement Officers Safety Act; and
- (2) Make conforming amendments to state firearm laws.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Institute for Rational and Evidence-based Legislation, Society for Hawaii Heritage Animals, Hawaii Hunting Association, North Pacific Firearms, Hawaii Rifle Association, Lessons in Firearms Education, and fifty-eight individuals. Your Committee received testimony in opposition to this measure from the Domestic Violence Action Center. Your Committee received comments on this measure from the Department of the Prosecuting Attorney County of Maui, Maui Police Department, and one individual.

Your Committee finds that the Law Enforcement Officers Safety Act of 2004 (LEOSA), amended in 2010 and 2013, affords active and retired law enforcement officers the privilege of carrying a



concealed firearm across state lines, including former officers who have separated after serving as law enforcement officers for ten years or more and certain military employees. However, varying state approaches to implementation have hindered the consistent and effective operation of the federal law, especially with respect to qualified retired law enforcement officers. Currently, Hawaii has not established firearm qualification standards for qualified retired law enforcement officers residing in the State or a statutory framework to uniformly permit active and qualified retired law enforcement officers to carry a concealed weapon in Hawaii. Implementation of this measure allows the Department of the Attorney General to develop and establish a consistent and effective operation of the LEOSA.

Your Committee notes that it is likely that Congress will amend the LEOSA in the future. Thus, codifying the entire Act in state law would result in the inconsistent application of federal and state laws resulting in a lack of notice and confusion for applicants until existing state law can be updated.

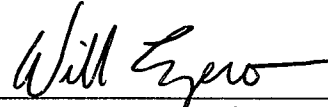
Accordingly, your Committee has amended this measure by deleting its contents and inserting language proposed by the Department of the Attorney General to:

- (1) Authorize the Department of the Attorney General to develop and implement a state program and adopt rules to allow active and retired law enforcement officers to carry a concealed firearm in Hawaii pursuant to the LEOSA; and
- (2) Make a conforming amendment to state firearms laws.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 473, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 473, S.D. 1, and be referred to the Committee on Judiciary and Labor.



Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Intergovernmental and Military
Affairs,



WILL ESPERO, Chair



