

JAN 25 2023

A BILL FOR AN ACT

RELATING TO FIREARMS.

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

1 SECTION 1. Chapter 134, Hawaii Revised Statutes, is
2 amended by adding two new sections to be appropriately
3 designated and to read as follows:

4 "§134-A Prohibition against carrying a firearm in a
5 sensitive location; penalty. (a) Subject to the exceptions
6 stated in subsections (b) through (e), a person granted a
7 license to carry a concealed firearm under section 134-9 shall
8 not knowingly carry a firearm on or into a sensitive location.

9 (b) Subsection (a) shall not apply to the following
10 individuals:

11 (1) Persons exempted from section 134-9 under section 134-
12 11; and

13 (2) Detectives, private detectives, investigators, or
14 guards authorized by the county chief of police to
15 carry a firearm in a particular sensitive location
16 while on duty in that sensitive location.

17 (c) Notwithstanding subsection (a), a licensee may:



1 (1) Transport a concealed firearm within their vehicle or
2 on public transit; provided that the firearm is
3 unloaded and in a locked container, as defined in
4 section 134-25;

5 (2) Transport a concealed firearm within a vehicle into or
6 out of a parking area in a location covered under
7 subsection (a); provided that the firearm is locked in
8 a locked container, as defined in section 134-25; and

9 (3) Transport a concealed firearm in the immediate area
10 surrounding their vehicle within a prohibited parking
11 lot area only for the purpose of storing or retrieving
12 a firearm within a locked container in the vehicle's
13 trunk or other place inside the vehicle that is out of
14 plain view.

15 (d) Except in the sensitive locations specified in
16 paragraphs (1) and (2) of subsection (h), a licensee shall not
17 be in violation of this section while they are traveling along a
18 public right-of-way that touches or crosses any of the sensitive
19 locations identified in subsection (h) if the concealed firearm
20 is carried on their person or is being transported in a vehicle
21 by the licensee in accordance with all other applicable laws;



1 provided that nothing in this exception shall allow a licensee
2 to loiter or remain in a sensitive location identified in this
3 subsection longer than necessary to complete their travel.

4 (e) This section shall not apply to a licensee who must
5 walk through a public gathering or special event in order to
6 access their residence, place of business, or vehicle while the
7 licensee is in the act of walking through the gathering or event
8 to access their residence, place of business, or vehicle;
9 provided further that nothing in this exception shall allow a
10 licensee to loiter or remain in a place identified in this
11 subsection longer than necessary to complete their travel.

12 (f) Nothing in this section shall prohibit the carrying of
13 a firearm where it otherwise expressly authorized by state law.

14 (g) Any person violating subsection (a) shall be guilty of
15 a misdemeanor, subject to revocation of their license to carry a
16 concealed firearm under section 134-13, and disqualified from
17 renewing their license to carry a concealed firearm under
18 section 134-9.

19 (h) For the purposes of this section, "sensitive location"
20 means:

21 (1) Schools, as defined in section 302A-901;



- 1 (2) A college, university, or other educational
- 2 institution, or on any school bus;
- 3 (3) Child care facilities, as defined in section 346-151;
- 4 (4) Nursery schools or pre schools, including day care
- 5 centers and summer camps;
- 6 (5) Public parks or recreational grounds as defined in
- 7 section 708-814.5;
- 8 (6) Zoos, playgrounds, museums, libraries, recreation
- 9 centers, and shelters and residential facilities
- 10 operated by a government entity or a charitable
- 11 organization serving unhoused children, children
- 12 involved in the juvenile justice system, or children
- 13 who are similarly at-risk;
- 14 (7) Any bar, restaurant, or establishment issued a license
- 15 for on-premise consumption of alcohol pursuant to
- 16 sections 281-31 and 281-32.5;
- 17 (8) A place owned, leased, or under the control of the
- 18 State, county, or municipal government used for the
- 19 purpose of government administration;



- 1 (9) A courthouse, courtroom, or any other premises used to
2 conduct judicial or court administrative proceedings
3 or functions;
- 4 (10) Voter service centers, places of deposit and their
5 appurtenances, and an area of two hundred feet from
6 the perimeter of any voter service center, place of
7 deposit, and its appurtenances, as designated by
8 election officials under section 11-132, as follows:
- 9 (A) As applied to voter service centers and their
10 appurtenances, all operating hours, as set forth
11 in section 11-109; and
- 12 (B) As applied to places of deposit and their
13 appurtenances, all times at which the place of
14 deposit is accessible to the public;
- 15 (11) Vote counting centers and places where ballots are
16 stored;
- 17 (12) A public gathering or special event conducted on
18 property open to the public that requires the issuance
19 of a permit from a federal, state, or local government
20 and the sidewalk or street immediately adjacent to the
21 public gathering or special event and within one



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1 thousand feet from the vent or gathering; provided
2 that there are signs clearly and conspicuously posted
3 at visible places along the perimeter of the event;

4 (13) Any place, conveyance, or vehicle used for public
5 transportation or public transit, including but not
6 limited to:

7 (A) Buses;

8 (B) Train cars;

9 (C) Ferries;

10 (D) Railroad;

11 (E) Omnibus; and

12 (F) Marine or aviation transportation;

13 (14) Any facility used for or in connection with service in
14 the transportation of passengers, including but not
15 limited to:

16 (A) Airports;

17 (B) Bus terminals;

18 (C) Train stations;

19 (D) Rail stations; and

20 (E) Harbors;



1 (15) A stadium, arena, theater, performance venue,
2 amusement park, or real property or parking area under
3 the control of the stadium, arena, theater,
4 performance venue, or amusement park;

5 (16) A public or private hospital or hospital affiliate,
6 mental health facility, nursing home, medical office,
7 urgent care facility, or other place at which medical
8 services are customarily provided;

9 (17) Financial institutions as defined in section 211D-1;
10 and

11 (18) Private property, including but not limited to
12 residential, commercial, industrial, agricultural,
13 institutional, or undeveloped property, unless the
14 owner has provided express consent or clearly and
15 conspicuously posts a sign at the entrance of the
16 building or on the premises indicating that license
17 holders are permitted to carry firearms on the
18 property.

19 §134-B Annual report on licenses to carry. (a) By
20 April 1, 2024, and each year thereafter, the attorney general



1 shall publish a report on its publicly available website
2 detailing:

3 (1) The number of licenses to carry applied for, issued,
4 revoked, and denied, and further categorized by the
5 age, sex, race, and county of residence of the
6 applicant or license holder;

7 (2) The specific reasons for each revocation and denial;

8 (3) Analysis of denials under section 134-9(b)(2) and
9 recommendations to remedy any disparities in denial
10 rates by age, sex, or race; and

11 (4) The number of appeals and appeals granted.

12 (b) The chief of police of each county shall supply the
13 attorney general with the data the attorney general requires to
14 complete the report under subsection (a) for the prior year by
15 February 1 of each year."

16 SECTION 2. Section 134-2, Hawaii Revised Statutes, is
17 amended by amending subsections (d) and (e) to read as follows:

18 "(d) The chief of police of the respective counties [~~may~~]
19 shall issue permits to acquire firearms to citizens of the
20 United States of the age of twenty-one years or more, or duly
21 accredited official representatives of foreign nations, or duly



1 commissioned law enforcement officers of the State who are
2 aliens; provided that any law enforcement officer who is the
3 owner of a firearm and who is an alien shall transfer ownership
4 of the firearm within forty-eight hours after termination of
5 employment from a law enforcement agency. The chief of police
6 of each county [~~may~~] shall issue permits to aliens of the age of
7 eighteen years or more for use of rifles and shotguns for a
8 period not exceeding sixty days, upon a showing that the alien
9 has first procured a hunting license under chapter 183D, part
10 II. The chief of police of each county [~~may~~] shall issue
11 permits to aliens of the age of twenty-one years or more for use
12 of firearms for a period not exceeding six months, upon a
13 showing that the alien is in training for a specific organized
14 sport-shooting contest to be held within the permit period. The
15 attorney general shall adopt rules, pursuant to chapter 91, as
16 to what constitutes sufficient evidence that an alien is in
17 training for a sport-shooting contest. Notwithstanding any law
18 to the contrary and upon joint application, the chief of police
19 [~~may~~] shall issue permits to acquire firearms jointly to spouses
20 who otherwise qualify to obtain permits under this section.



1 (e) The permit application form shall be signed by the
2 applicant and by the issuing authority. One copy of the permit
3 shall be retained by the issuing authority as a permanent
4 official record. Except for sales to dealers licensed under
5 section 134-31, or dealers licensed by the United States
6 Department of Justice, or law enforcement officers, [~~or where a~~
7 ~~license is granted under section 134-9,~~] or where any firearm is
8 registered pursuant to section 134-3(a), no permit shall be
9 issued to an applicant earlier than fourteen calendar days after
10 the date of the application; provided that a permit shall be
11 issued or the application denied before the twentieth day from
12 the date of application. Permits issued to acquire any pistol
13 or revolver shall be void unless used within ten days after the
14 date of issue. Permits to acquire a pistol or revolver shall
15 require a separate application and permit for each transaction.
16 Permits issued to acquire any rifle or shotgun shall entitle the
17 permittee to make subsequent purchases of rifles or shotguns for
18 a period of one year from the date of issue without a separate
19 application and permit for each acquisition, subject to the
20 disqualifications under section 134-7 and subject to revocation
21 under section 134-13; provided that if a permittee is arrested



1 for committing a felony or any crime of violence or for the
2 illegal sale of any drug, the permit shall be impounded and
3 shall be surrendered to the issuing authority. The issuing
4 authority shall perform an inquiry on an applicant by using the
5 International Justice and Public Safety Network, including the
6 United States Immigration and Customs Enforcement query, the
7 National Crime Information Center, and the National Instant
8 Criminal Background Check System, pursuant to section 846-2.7
9 before any determination to issue a permit or to deny an
10 application is made. The issuing authority shall not issue a
11 permit to acquire the ownership of a firearm to any person where
12 the issuance would not be in the interest of public health,
13 safety, or welfare because the person is found to be lacking the
14 essential character or temperament necessary to be entrusted
15 with a firearm. In determining whether the person lacks the
16 essential character or temperament necessary to be entrusted
17 with a firearm, the licensing authority shall consider whether
18 the person is likely to engage in conduct, other than lawful
19 self-defense, that would pose a danger to self or others, as
20 evidenced by whether the applicant has any history of threats or
21 acts of violence by the applicant directed toward their self or



1 others or any history of use, attempted use, or threatened use
2 of physical force by the applicant against another person, or
3 other incidents implicating the disqualifying criteria set forth
4 in this subsection, including but not limited to determining
5 whether the applicant has been subject to any recent arrests or
6 criminal charges for disqualifying crimes or has been
7 experiencing any mental health issues such as suicidal ideation
8 or violent impulses, the applicant's use of drugs or alcohol,
9 and any other relevant evidence. The issuing authority shall
10 consider the risks associated with firearms in the home, such as
11 failure to consistently secure a firearm when not in the
12 applicant's immediate control, the initiating or escalating of
13 conflicts with intimate partners, family members, cohabitants,
14 and invited guests such that a firearm is likely to be displayed
15 or discharged other than in lawful self-defense; and shall
16 consider the likelihood an applicant would bring the firearm
17 outside of the home to engage in violence or to carry unlawfully
18 in public."

19 SECTION 3. Section 134-5, Hawaii Revised Statutes, is
20 amended to read as follows:



1 "§134-5 Possession by licensed hunters and minors; target
2 shooting; game hunting. (a) Any person of the age of sixteen
3 years, or over or any person under the age of sixteen years
4 while accompanied by an adult, may carry and use any lawfully
5 acquired rifle or shotgun and suitable ammunition while actually
6 engaged in hunting or target shooting or while going to and from
7 the place of hunting or target shooting; provided that the
8 person has procured a hunting license under chapter 183D, part
9 II. A hunting license shall not be required for persons engaged
10 in target shooting.

11 (b) A permit shall not be required when any lawfully
12 acquired firearm is lent to a person, including a minor, upon a
13 target range or similar facility for purposes of target
14 shooting; provided that the period of the loan does not exceed
15 the time in which the person actually engages in target shooting
16 upon the premises.

17 (c) A person may carry unconcealed and use a lawfully
18 acquired pistol or revolver while actually engaged in hunting
19 game mammals, if that pistol or revolver and its suitable
20 ammunition are acceptable for hunting by rules adopted pursuant
21 to section 183D-3 and if that person is licensed pursuant to



1 part II of chapter 183D. The pistol or revolver may be
2 transported in an enclosed container [~~, as defined in section~~
3 ~~134-25]~~ in the course of going to and from the place of the
4 hunt, notwithstanding section 134-26.

5 (d) For purposes of this section, "enclosed container"
6 means a rigidly constructed receptacle, or a commercially
7 manufactured gun case, or the equivalent thereof that completely
8 encloses the firearm."

9 SECTION 4. Section 134-9, Hawaii Revised Statutes, is
10 amended to read as follows:

11 **"§134-9 Licenses to carry.** (a) [~~In an exceptional case,~~
12 ~~when an applicant shows reason to fear injury to the applicant's~~
13 ~~person or property, the]~~ The chief of police of the appropriate
14 county [~~may]~~ shall grant a license to an applicant who is a
15 [~~citizen of the United States of the age of twenty-one years or~~
16 ~~more or to a duly accredited official representative of a~~
17 ~~foreign nation]~~ resident of the State of the age of twenty-one
18 years or more to carry a pistol or revolver and ammunition
19 therefor concealed on the person within the county where the
20 license is granted[~~-~~] upon determination by the chief of police
21 that the applicant meets all the requirements set forth in this



1 section. Where the urgency or the need has been sufficiently
2 indicated, the respective chief of police may grant to an
3 applicant of good moral character who is a citizen of the United
4 States of the age of twenty-one years or more, is engaged in the
5 protection of life and property, and is not prohibited under
6 section 134-7 from the ownership or possession of a firearm, a
7 license to carry a pistol or revolver and ammunition therefor
8 unconcealed on the person within the county where the license is
9 granted. The chief of police of the appropriate county, or the
10 chief's designated representative, shall perform an inquiry on
11 an applicant by using the National Instant Criminal Background
12 Check System, to include a check of the Immigration and Customs
13 Enforcement databases where the applicant is not a citizen of
14 the United States, before any determination to grant a license
15 is made. Unless renewed, the license shall expire one year from
16 the date of issue.

17 (b) The chief of police of each county shall adopt
18 procedures to require that any person granted a license to carry
19 a concealed weapon on the person shall:

20 (1) Be qualified to use the firearm in a safe manner[+].

21 To prove an applicant is qualified, applicants shall



1 be required to provide proof of a firearm
2 certification program that satisfies the requirements
3 of section 134-2(g)(2) through (4) no earlier than
4 ninety days prior to submitting an application for an
5 initial license to carry a concealed weapon on the
6 person, and at intervals to be determined by the chief
7 of police for applications to renew a license to carry
8 a concealed weapon on the person. An eligible firearm
9 certification program shall include:

10 (A) In-person instruction and written test covering
11 the topics of relevant gun laws, including secure
12 storage practices and sensitive location
13 restrictions, use of force and de-escalation, and
14 the risks to self and others of owning firearms;
15 and

16 (B) Live-fire instruction and demonstration of safe
17 handling of, and shooting proficiency with, each
18 firearm the applicant is applying to be licensed
19 to carry;

20 (2) [~~Appear to be~~] Be a suitable person to [be se
21 licensed,] carry a concealed handgun in public. In



1 determining whether the person is a suitable person to
2 carry a concealed handgun in public, the chief of
3 police shall make the required inquiry and
4 investigation set forth in section 134-2(e) and shall
5 consider the additional risks associated with public
6 carry, such as failure to consistently secure a
7 handgun outside the home and protect it from theft or
8 unauthorized access, especially in densely populated
9 settings; conduct or statements, including verbal
10 threats involving a handgun or displaying a handgun,
11 that would have the tendency to threaten or terrorize
12 members of the public; the initiation or escalation of
13 conflicts with strangers such that a handgun is likely
14 to be displayed or discharged other than in lawful
15 self-defense during interactions in public; and
16 unintentional or reckless discharge of a handgun in
17 public. The attorney general shall have authority to
18 promulgate guidance on the types of conduct that the
19 chief of police may consider when deciding whether the
20 applicant is a suitable person to carry a concealed
21 handgun in public;



- 1 (3) Not be prohibited under section 134-7 from the
- 2 ownership or possession of a firearm; [and]
- 3 (4) Not be under indictment for, or have waived indictment
- 4 for, or have been bound over to the circuit court for,
- 5 or have been convicted in the State or elsewhere of
- 6 having committed in the previous ten years:
- 7 (A) Operating a vehicle under the influence of an
- 8 intoxicant under section 291E-61;
- 9 (B) Reckless endangering in the second degree under
- 10 section 707-714;
- 11 (C) Harassment under section 711-1106;
- 12 (D) Criminally negligent storage of a firearm under
- 13 section 707-714.5; or
- 14 (E) A firearm offence punishable as a misdemeanor
- 15 under chapter 134; and
- 16 ~~[-(4)]~~ (5) Not have been adjudged insane or not appear to be
- 17 mentally deranged. Being a person who does "not
- 18 appear to mentally deranged" means that the applicant
- 19 does not exhibit specific and articulable indicia that
- 20 would objectively indicate to a reasonable observer
- 21 that the applicant is not capable of being a



1 reasonable and law-abiding user of firearms. Such
2 specific and articulable indicia may include but are
3 not limited to suicidal ideations; homicidal
4 ideations; or potential dangerousness, including a
5 violent animus towards one or more groups based on
6 race, color, national origin, ancestry, sex, gender
7 identity, gender expression, sexual orientation, age,
8 disability, religion, or other characteristic, such
9 that a reasonable person would conclude that the
10 applicant harbored an intention to use a firearm in
11 public to attack others rather than for self defense.

12 (c) No person shall carry concealed or unconcealed on the
13 person a pistol or revolver without being licensed to do so
14 under this section or in compliance with sections 134-5(c) or
15 134-25.

16 (d) The application for license to carry a concealed
17 firearm shall be in the form prescribed by the chief of police
18 of each county and shall include, at a minimum the following
19 features:

20 (1) The applicant's name; address; sex; height; weight;
21 date of birth; place of birth; country of citizenship;



1 social security number; alien or admission number; any
2 aliases or other names previously used by the
3 applicant; physical description, including any
4 distinguishing physical characteristics of the
5 applicant; current employer; and identifying
6 information for the firearm for which the license is
7 sought;

8 (2) The text of state laws pertaining to firearm storage
9 in sections 134-10.5, 134-25, and 707-714.5, the text
10 of the sensitive locations where firearms are
11 prohibited set forth in section 134-A, and space for
12 an applicant's signature confirming the applicants
13 acknowledgement and understanding of those laws;

14 (3) A certification of whether the applicant has been
15 confined or committed to a mental institution or
16 hospital for treatment or observation of a mental or
17 psychiatric condition on a temporary, interim, or
18 permanent basis, or experienced any mental health
19 condition that could impact risk to public safety,
20 including but not limited to conditions involving



1 suicidal ideations, homicidal ideations, or violent
2 impulses;

3 (4) Contact information for not less than four reputable
4 persons who are not related by blood or law to the
5 applicant and have known the applicant for at least
6 three years preceding the application date who will
7 serve as personal references for the applicant's
8 license application and who have sufficient knowledge
9 of whether the applicant is a suitable person to carry
10 a concealed handgun in public, as set forth in
11 subsection (b)(2). The applicant shall also provide
12 names and contact information for the applicant's
13 current spouse, domestic partner, or significant
14 other, if any, and any other adults residing in the
15 applicant's home, including adult children;

16 (5) The applicant shall complete an authorization for
17 release of mental health records, including
18 psychiatric, behavioral health, and substance abuse
19 information. The applicant shall also complete any
20 forms required by the applicant's health care provider



1 or relevant government entity for release of mental
2 health information; and
3 (6) Any other information the county chief of police, or a
4 designated member of the chief of police's staff, may
5 require from the applicant or any other person as the
6 chief of police reasonably deems necessary to conduct
7 the review of the application, including but not
8 limited to publicly available statements posted or
9 published online by the applicant.

10 The chief of police in the applicant's county, or a designated
11 member of the chief of police's staff, shall conduct an in-
12 person interview with the applicant and an in-person
13 videoconference, or telephonic interview with individuals
14 identified by the applicant as personal references, and shall
15 make inquiry concerning, and investigate to the extent
16 warranted, whether the applicant meets the qualifications and
17 standards set forth in subsection (b). Individuals whose
18 contact information is provided on the application form may be
19 contacted by the county chief of police, or a designated member
20 of the chief of police's staff, during this inquiry and
21 investigation. The county chief of police, or a designated



1 member of the chief of police's staff, shall also contact local
2 law enforcement where the applicant resides and works, and any
3 place where the applicant has resided in the previous ten years,
4 if the applicant currently or within the previous ten years has
5 resided or worked in a county other than the one in which a
6 license is being sought.

7 ~~(d)~~ (e) A fee of \$10 shall be charged for each license
8 and shall be deposited in the treasury of the county in which
9 the license is granted.

10 (f) In all cases where a license application under this
11 section is denied, the applicant shall be sent a written
12 decision by certified mail. The written decision shall set
13 forth the facts of the application and explain the reasons for
14 denial. Any applicant aggrieved by a denial may request a
15 hearing in the district court of the county in which the
16 applicant resides or, if different, the county in which the
17 application was submitted, by filing a written request for a
18 hearing within thirty days of the denial. The aggrieved
19 applicant shall serve copies of the request for hearing upon the
20 county chief of police where the application was denied. The
21 hearing shall be held within sixty days of filing of the



1 request, and no formal pleading or filing fee shall be required.
2 In all cases where a permit application under this section is
3 denied because an applicant is prohibited from owning,
4 possessing, receiving, or controlling firearms under federal or
5 state law, the chief of police of the applicable county shall
6 send written notice as described in section 134-2(j)."

7 SECTION 5. Section 134-13, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "§134-13 Revocation of permits. (a) All permits and
10 licenses provided for under this part may be revoked~~[, for good~~
11 ~~cause,~~] by the issuing authority or by the judge of any court~~[-]~~
12 if, at any time, the licensee or permit holder no longer meets
13 the qualifications or requirements of the applicable permit or
14 license section under which their permit or license was granted.
15 Licenses to carry concealed firearms shall be revoked if, at any
16 time, either the issuing authority determines or is notified by
17 the judge of any court or a law enforcement agency of any of the
18 following:

19 (1) A licensee is prohibited by state or federal law from
20 owning or purchasing a firearm;



- 1 (2) A licensee becomes ineligible to obtain a license
- 2 under section 134-9(b);
- 3 (3) Any information provided by a licensee in connection
- 4 with an application for a new license or license
- 5 renewal is inaccurate or incomplete;
- 6 (4) A licensee is no longer a suitable person to hold such
- 7 a license under section 134-9(b) (2); or
- 8 (5) A licensee engages in any conduct that would have
- 9 resulted in the denial of a license.

10 (b) if the issuing authority or the judge of any court
11 revokes a license, the county chief of police where the
12 applicant resides shall be notified of the revocation if they
13 are not the body revoking the license. If the license or permit
14 is revoked because the licensee or permit holder is prohibited
15 from possessing firearms under section 134-7 or part IV of this
16 chapter, then section 134-7.3 shall govern the process for
17 voluntary surrender and seizure."

18 SECTION 6. Section 134-25, Hawaii Revised Statutes, is
19 amended to read as follows:

20 "[~~§~~134-25~~]~~ Place to keep pistol or revolver; penalty.

21 (a) Except as provided in sections 134-5 and 134-9, all



1 firearms shall be confined to the possessor's place of business,
2 residence, or sojourn; provided that it shall be lawful to carry
3 unloaded firearms in [~~an enclosed~~] a locked container from the
4 place of purchase to the purchaser's place of business,
5 residence, or sojourn, or between these places upon change of
6 place of business, residence, or sojourn, or between these
7 places and the following:

- 8 (1) A place of repair;
- 9 (2) A target range;
- 10 (3) A licensed dealer's place of business;
- 11 (4) An organized, scheduled firearms show or exhibit;
- 12 (5) A place of formal hunter or firearm use training or
13 instruction; or
- 14 (6) A police station.

15 [~~"Enclosed container" means a rigidly constructed~~
16 ~~receptacle, or a commercially manufactured gun case, or the~~
17 ~~equivalent thereof that completely encloses the firearm.]~~

18 (b) A person who possess a firearm in a vehicle as
19 provided by sections 134-5 and 134-9 shall keep the firearm in a
20 locked container and place the container out of plain view when
21 leaving the firearm in an unattended vehicle.



1 [~~(b)~~] (c) Any person violating [~~this section~~] subsection
2 (a) by carrying or possessing a loaded or unloaded pistol or
3 revolver shall be guilty of a class B felony.

4 (d) Any person violating subsection (b) shall be guilty of
5 a misdemeanor, subject to revocation of their license to carry a
6 concealed firearm under section 134-13, and disqualified from
7 renewing their license to carry a concealed firearm under
8 section 134-9.

9 (e) As used in this section, "locked container" means a
10 secure container that is fully enclosed and locked by a padlock,
11 keylock, combination lock, or similar locking device. The term
12 "locked container" does not include the utility or glove
13 compartment of a motor vehicle."

14 SECTION 7. If any provision of this Act, or the
15 application thereof to any person or circumstance, is held
16 invalid, the invalidity does not affect other provisions or
17 applications of the Act that can be given effect without the
18 invalid provision or application, and to this end the provisions
19 of this Act are severable.

20 SECTION 8. In codifying the new sections added by section
21 1 of this Act, the revisor of statutes shall substitute



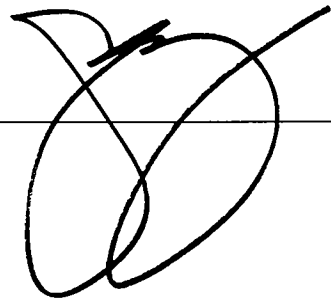
1 appropriate section numbers for the letters used in designating
2 the new sections in this Act.

3 SECTION 9. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 10. This Act shall take effect upon its approval.

6

INTRODUCED BY: _____

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right, positioned over the line following "INTRODUCED BY:".

S.B. NO. 1230

Report Title:

Firearms; Concealed Carry; License to Carry; Sensitive Locations; Attorney General; Police; Report

Description:

Prohibits issuing authorities from issuing permits to acquire the ownership of a firearm to any person where the issuance would not be in the interest of the public health, safety, or welfare because the person is found to be lacking the essential character or temperament necessary to be entrusted with a firearm. Requires issuing authorities to consider the risks associated with firearms in the home and consider the likelihood an applicant would bring the firearm outside of the home to engage in violence or carry unlawfully in public. Increases requirements for applicants seeking a license to carry a firearm. Sets minimum requirements for applications for a license to carry a concealed firearm. Establishes the crime of carrying a firearm in a sensitive location. Defines sensitive location. Requires licenses to carry concealed firearms be revoked if certain conditions are met. Requires the Attorney General to publish an annual report on licenses to carry firearms. Requires firearms be kept in a locked container and out of plain view when in an unattended vehicle. Defines locked container and makes conforming amendments. Establishes penalties for violations.

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

