

JAN 22 2007

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 a new section to be appropriately designated
3 and to read as follows:

4 "§134- Uniform application of chapter; rules. This
5 chapter shall be applied uniformly across the State by the
6 county chiefs of police. The attorney general shall adopt rules
7 pursuant to chapter 91 for this purpose."

8 SECTION 2. Section 134-2, Hawaii Revised Statutes, is
9 amended by amending subsections (a) and (b) to read as follows:

10 "(a) [~~No~~] Except in the case of a transfer conducted by a
11 federal firearms licensee in compliance with the Brady Handgun
12 Violence Prevention Act of 1993, Public Law 103-159, including a
13 determination through the national instant criminal background
14 check system that transfer of the firearm does not violate
15 section 922(g) or (n) of Title 18, United States Code, or state
16 law, no person shall acquire the ownership of a firearm, whether
17 usable or unusable, serviceable or unserviceable, modern or



1 antique, registered under prior law or by a prior owner or
2 unregistered, either by purchase, gift, inheritance, bequest, or
3 in any other manner, whether procured in the State or imported
4 by mail, express, freight, or otherwise, until the person has
5 first procured from the chief of police of the county of the
6 person's place of business or, if there is no place of business,
7 the person's residence or, if there is neither place of business
8 nor residence, the person's place of sojourn, a permit to
9 acquire the ownership of a firearm as prescribed in this
10 section. When title to any firearm is acquired by inheritance
11 or bequest, the foregoing permit shall be obtained before taking
12 possession of a firearm; provided that upon presentation of a
13 copy of the death certificate of the owner making the bequest,
14 any heir or legatee may transfer the inherited or bequested
15 firearm directly to a dealer licensed under section 134-31 or
16 licensed by the United States Department of the Treasury without
17 complying with the requirements of this section."

18 (b) The permit application form shall include the
19 applicant's name, address, sex, height, weight, date of birth,
20 place of birth, country of citizenship, social security number,
21 alien or admission number, and information regarding the
22 applicant's mental health history and shall require the



1 fingerprinting and photographing of the applicant by the police
2 department of the county of registration; provided that where
3 fingerprints and photograph are already on file with the
4 department, these may be waived. The permit application shall
5 be accepted at all county police stations and substations. The
6 permit shall be mailed to the applicant upon approval and
7 payment of costs, if the applicant requests."

8 SECTION 3. Section 134-3, Hawaii Revised Statutes, is
9 amended by amending subsection (a) to read as follows:

10 "(a) Every person arriving in the State who brings or by
11 any other manner causes to be brought into the State a firearm
12 of any description, whether usable or unusable, serviceable or
13 unserviceable, modern or antique, shall register the firearm
14 within three days after arrival of the person or of the firearm,
15 whichever arrives later, with the chief of police of the county
16 of the person's place of business or, if there is no place of
17 business, the person's residence or, if there is neither a place
18 of business nor residence, the person's place of sojourn.

19 Registration of firearms shall be performed at all county police
20 stations and substations. A nonresident alien may bring
21 firearms not otherwise prohibited by law into the State for a
22 continuous period not to exceed ninety days; provided that the



1 person meets the registration requirement of this section and
2 the person possesses:

- 3 (1) A valid Hawaii hunting license procured under chapter
4 183D, part II, or a commercial or private shooting
5 preserve permit issued pursuant to section 183D-34;
6 (2) A written document indicating the person has been
7 invited to the State to shoot on private land; or
8 (3) Written notification from a firing range or target
9 shooting business indicating that the person will
10 actually engage in target shooting.

11 The nonresident alien shall be limited to a nontransferable
12 registration of not more than ten firearms for the purpose of
13 the above activities."

14 SECTION 4. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 5. This Act shall take effect upon its approval.
17

INTRODUCED BY: *Clemente K. Irujo*



Report Title:

Firearms; Acquisition; Registration

Description:

Exempts from the permitting requirements of firearms law, those firearm transfers conducted by a federal firearms licensee who has complied with the background check requirements of the national instant criminal background check system. Requires application of firearms law to be uniform across State and requires attorney general to adopt rules for that purpose. Requires police to accept applications for permit to acquire firearms and to register firearms at any police station.

