STAND. COM. REP. NO.

594

Honolulu, Hawaii

FEB 19 , 2021

RE: H.B. No. 1366

H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1366 entitled:

"A BILL FOR AN ACT RELATING TO FIREARMS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Amend the offense of manufacturing, purchasing, or obtaining firearm parts to assemble a firearm having no serial number to also prohibit possession of those firearm parts; and
- (2) Amend Act 74, Session Laws of Hawaii 2020, to repeal language that specified the prospective application of that Act.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Maui Police Department, State of Hawaii Organization of Police Officers, and two individuals. Your Committee received testimony in opposition to this measure from the National Rifle Association, Valley Isle Sport Shooters, Hawaii Firearms Coalition, Hawaii Rifle Association, Berean Beacon Ministry, and numerous individuals. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that persons who are in possession of "ghost guns," or firearms that are assembled without serial numbers or other identification markings, are claiming that their actions do not violate state law because the parts used to assemble the firearm were acquired before the State prohibited manufacturing, purchasing, or obtaining firearm parts to assemble a ghost gun. This measure will make possession of these parts a class C felony.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2022; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1366, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1366, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on behalf of the members of the Committee on Judiciary & Hawaiian Affairs,

Cakesline Chair

State of Hawaii House of Representatives The Thirty-first Legislature #\$CR 594

Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.:	Committee Referral:		Date: 2-16-21	
HB 1366	31,7,1			
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: ☐ Pass, unamended (as is) ☐ Pass, with amendments (HD) ☐ Hold ☐ Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)				
				30 19 646
2. MATAYOSHI, Scot Z. (VC)				
3. ICHIYAMA, Linda				
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4. KOBAYASHI, Dale T.				
	KARA HARATA			
5. LoPRESTI, Matthew S.				
6. LOWEN, Nicole E.				
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7. McKELVEY, Angus L.K.				
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8. NAKAMURA, Nadine K.				
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9. TAKUMI, Roy M.				
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10. TODD, Chris	ESCHWISTONI CERTUSINA CONTROL CONTROL			
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11. TORIONA, James Kunane				
12. WARD, Gene	March Control of Contr			Haspitals Tability of the
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TOTAL (12)	8			2
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				