

JAN 19 2023

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# A BILL FOR AN ACT

RELATING TO FIREARMS.

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

1           SECTION 1. The legislature finds that a licensed citizen  
2           legally carrying a concealed firearm in public must ensure that  
3           the firearm is concealed completely. Having an improperly  
4           concealed firearm can cause alarm to people in the area and will  
5           result in 911 calls, burdening first responder resources. When  
6           first responders approach a person carrying a firearm, it may be  
7           unclear whether the person poses a threat, causing a potentially  
8           hazardous situation for all involved.

9           Furthermore, a firearm that is dropped poses a risk of  
10          discharging, endangering bystanders in the area. Aside from the  
11          risk of accidental discharge, a dropped firearm may cause alarm  
12          to a person nearby.

13          Lastly, a firearm negligently left behind by a licensee in  
14          a public place could be stolen or used by another person to  
15          commit a crime. Concealed carry licensee holders must be held  
16          accountable to maintain possession of their concealed firearm.



1           The most effective way to mitigate these situations is for  
2 the firearm to be properly concealed and secured in accordance  
3 with the issued license and applicable laws.

4           Accordingly, the purpose of this Act is to create a new  
5 offense within chapter 134, Hawaii Revised Statutes, relating to  
6 the negligent concealment of a firearm by a licensee.

7           SECTION 2. Chapter 134, Hawaii Revised Statutes, is  
8 amended by adding a new section to be appropriately designated  
9 and to read as follows:

10           "§134-        Negligent concealment of a firearm by a  
11 licensee. (a) A person commits the offense of negligent  
12 concealment of a firearm by a licensee if the person holds a  
13 valid concealed carry firearms license and:

14           (1) Without legal justification, displays or fails to  
15           completely conceal the licensed firearm, even briefly,  
16           causing alarm to any other person; or

17           (2) Fails to secure the firearm on their person by  
18           dropping it in open view of any other person or by  
19           leaving the firearm in a public place.

20           (b) Negligent concealment of a firearm by a licensee is a  
21 petty misdemeanor."



# S.B. NO. 234

1 SECTION 3. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4 SECTION 4. New statutory material is underscored.

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

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INTRODUCED BY:



By Request



# S.B. NO. 234

**Report Title:**

Honolulu Police Department Package; Negligent Concealment of a Firearm by a Licensee

**Description:**

Creates the offense of negligent concealment of a firearm by a licensee.

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

