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# A BILL FOR AN ACT

RELATING TO FIREARMS REGISTRATION.

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

1       SECTION 1. The legislature finds that the registration of  
2       firearms is intended for all gun owners in the State. The  
3       registration process is necessary for public safety to insure  
4       that a firearm is properly registered to an individual who is  
5       qualified and capable of owning firearms. However, the  
6       legislature finds that the current firearms registration process  
7       is inefficient and requires excessive visits to county police  
8       stations, wasting time and money.

9       The legislature further finds that the establishment of a  
10      statewide online firearms registration process will streamline  
11      the registration process for firearm owners and registration  
12      officials, providing for a more efficient registration process.

13      SECTION 2. Section 134-3, Hawaii Revised Statutes, is  
14      amended to read as follows:

15      "**§134-3 Registration, mandatory, exceptions.** (a) Every  
16      person arriving in the State who brings or by any other manner  
17      causes to be brought into the State a firearm of any  
18      description, whether usable or unusable, serviceable or



1 unserviceable, modern or antique, shall register the firearm  
2 within five days after arrival of the person or of the firearm,  
3 whichever arrives later, with the chief of police of the county  
4 of the person's place of business or, if there is no place of  
5 business, the person's residence or, if there is neither a place  
6 of business nor residence, the person's place of sojourn. A  
7 nonresident alien may bring firearms not otherwise prohibited by  
8 law into the State for a continuous period not to exceed ninety  
9 days; provided that the person meets the registration  
10 requirement of this section and the person possesses:

- 11 (1) A valid Hawaii hunting license procured under chapter  
12 183D, part II, or a commercial or private shooting  
13 preserve permit issued pursuant to section 183D-34;
- 14 (2) A written document indicating the person has been  
15 invited to the State to shoot on private land; or
- 16 (3) Written notification from a firing range or target  
17 shooting business indicating that the person will  
18 actually engage in target shooting.

19 The nonresident alien shall be limited to a nontransferable  
20 registration of not more than ten firearms for the purpose of  
21 the above activities.



1 Every person registering a firearm under this subsection  
2 shall be fingerprinted and photographed by the police department  
3 of the county of registration; provided that this requirement  
4 shall be waived where fingerprints and photographs are already  
5 on file with the police department. The police department shall  
6 perform an inquiry on the person by using the National Instant  
7 Criminal Background Check System before any determination to  
8 register a firearm is made.

9 (b) Every person who acquires a firearm pursuant to  
10 section 134-2 shall register the firearm in the manner  
11 prescribed by this section within five days of acquisition. The  
12 registration shall be on forms prescribed by the attorney  
13 general, which shall be uniform throughout the State, and shall  
14 include the following information: name of the manufacturer and  
15 importer; model; type of action; caliber or gauge; serial  
16 number; and source from which receipt was obtained, including  
17 the name and address of the prior registrant. If the firearm  
18 has no serial number, the permit number shall be entered in the  
19 space provided for the serial number, and the permit number  
20 shall be engraved upon the receiver portion of the firearm prior  
21 to registration. All registration data that would identify the  
22 individual registering the firearm by name or address shall be



1 confidential and shall not be disclosed to anyone, except as may  
2 be required for processing the registration or as may be  
3 required by a law enforcement agency for the lawful performance  
4 of its duties or as may be required by order of a court.

5 (c) No later than July 1, 2015, the department of the  
6 attorney general, in collaboration with the county police  
7 departments, shall establish and operate a statewide online  
8 registration process for registering firearms that generally  
9 requires no more than two visits to the respective county police  
10 station per registration. Any funds received from county  
11 firearm registration fees shall be used to pay for costs  
12 incurred by the registering county and online registration  
13 processing costs incurred by the department of attorney general.

14 ~~[(e)]~~ (d) Dealers licensed under section 134-31 or dealers  
15 licensed by the United States Department of Justice shall  
16 register firearms pursuant to this section on registration forms  
17 prescribed by the attorney general and shall not be required to  
18 have the firearms physically inspected by the chief of police at  
19 the time of registration.

20 ~~[(d)]~~ (e) Registration shall not be required for:

- 21 (1) Any device that is designed to fire loose black powder  
22 or that is a firearm manufactured before 1899;



1 (2) Any device not designed to fire or made incapable of  
2 being readily restored to a firing condition; or

3 (3) All unserviceable firearms and destructive devices  
4 registered with the Bureau of Alcohol, Tobacco, and  
5 Firearms of the United States Department of Justice  
6 pursuant to Title 27, Code of Federal Regulations.

7 [~~+~~] (f) No fee shall be charged for the registration of  
8 a firearm under this section, except for a fee chargeable by and  
9 payable to the registering county for persons registering a  
10 firearm under subsection (a), in an amount equal to the fee  
11 actually charged by the Federal Bureau of Investigation to the  
12 registering police department for a fingerprint check in  
13 connection with the registration. In the case of a joint  
14 registration, the fee provided for in this section may be  
15 charged to each person."

16 SECTION 3. Section 134-32, Hawaii Revised Statutes, is  
17 amended to read as follows:

18 **"§134-32 License to sell and manufacture firearms;**  
19 **conditions.** Every license issued pursuant to this part shall be  
20 issued and shall be regarded as having been accepted by the  
21 licensee subject to the following conditions:



- 1 (1) That the licensee at all times shall comply with all  
2 provisions of law relative to the sale of firearms.
- 3 (2) That the license during any time of national emergency  
4 or crisis, as defined in section 134-34, may be  
5 canceled or suspended.
- 6 (3) That all firearms in the possession and control of any  
7 licensee at any time of national emergency or crisis,  
8 as defined in section 134-34, may be seized and held  
9 in possession or purchased by or on the order of the  
10 governor until such time as the national emergency or  
11 crisis has passed, or until such time as the licensee  
12 and the government of the United States or the  
13 government of the State may agree upon some other  
14 disposition of the same.
- 15 (4) That all firearms in the possession and control of the  
16 licensee or registered pursuant to section [~~134-3(e)~~]  
17 134-3(d) by the licensee shall be subject to physical  
18 inspection by the chief of police of each county  
19 during normal business hours at the licensee's place  
20 of business.
- 21 (5) That the license may be revoked for a violation of any  
22 of the conditions of this section."



1       SECTION 4. The department of the attorney general shall  
2 work with county police departments to create and implement a  
3 statewide online firearms registration process pursuant to this  
4 Act by July 1, 2015, and shall submit a report to the  
5 legislature, no later than twenty days prior to the convening of  
6 the regular session of 2016, on the status of the statewide  
7 online registration process.

8       SECTION 5. There is appropriated out of the general  
9 revenues of the State of Hawaii the sum of \$               or so  
10 much thereof as may be necessary for fiscal year 2014-2015 for  
11 establishing and implementing a statewide online firearms  
12 registration process.

13       The sum appropriated shall be expended by the department of  
14 the attorney general for the purposes of this Act.

15       SECTION 6. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17       SECTION 7. This Act shall take effect on July 1, 2014.



**Report Title:**

Public Safety; Statewide Firearms Online Registration;  
Appropriation

**Description:**

Requires the department of the attorney general, in collaboration with the county police departments, to establish a statewide online firearms registration process, to be fully implemented by July 1, 2015. Appropriates funds for the establishment and implementation of a statewide online firearms registration process. (SD1)

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