

JAN 23 2015

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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.   Section 134-2, Hawaii Revised Statutes, is  
2 amended by amending subsection (i) to read as follows:

3           "(i)   ~~[No fee shall be charged for permits, or applications~~  
4 ~~for permits, under this section, except for a single fee~~  
5 ~~chargeable by and payable to the issuing county, for individuals~~  
6 ~~applying for their first permit, in]~~ The county council of each  
7 county may establish a processing fee payable to the county's  
8 police department for each application for a permit to acquire  
9 submitted in the respective county; provided that the fee is  
10 established in an amount equal to the fee actually charged by  
11 the Federal Bureau of Investigation to the issuing police  
12 department for a fingerprint check in connection with that  
13 application or permit. In the case of a joint application, the  
14 fee provided for in this section may be charged to each person  
15 to whom no previous permit has been issued."

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



1       **"§134-3 Registration, mandatory, exceptions.** (a) Every  
2 person arriving in the State who brings or by any other manner  
3 causes to be brought into the State a firearm of any  
4 description, whether usable or unusable, serviceable or  
5 unserviceable, modern or antique, shall register the firearm  
6 within five days after arrival of the person or of the firearm,  
7 whichever arrives later, with the chief of police of the county  
8 of the person's place of business or, if there is no place of  
9 business, the person's residence or, if there is neither a place  
10 of business nor residence, the person's place of sojourn. A  
11 nonresident alien may bring firearms not otherwise prohibited by  
12 law into the State for a continuous period not to exceed ninety  
13 days; provided that the person meets the registration  
14 requirement of this section and the person possesses:

- 15       (1) A valid Hawaii hunting license procured under chapter  
16           183D, part II, or a commercial or private shooting  
17           preserve permit issued pursuant to section 183D-34;  
18       (2) A written document indicating the person has been  
19           invited to the State to shoot on private land; or



(3) Written notification from a firing range or target shooting business indicating that the person will actually engage in target shooting.

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

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

(b) Every person who acquires a firearm pursuant to section 134-2 shall register the firearm in the manner prescribed by this section within five days of acquisition. The registration shall be on forms prescribed by the attorney general, which shall be uniform throughout the State, and shall include the following information: name of the manufacturer and importer; model; type of action; caliber or gauge; serial



1 number; and source from which receipt was obtained, including  
2 the name and address of the prior registrant. If the firearm  
3 has no serial number, the permit number shall be entered in the  
4 space provided for the serial number, and the permit number  
5 shall be engraved upon the receiver portion of the firearm prior  
6 to registration. All registration data that would identify the  
7 individual registering the firearm by name or address shall be  
8 confidential and shall not be disclosed to anyone, except as may  
9 be required for processing the registration or as may be  
10 required by a law enforcement agency for the lawful performance  
11 of its duties or as may be required by order of a court.

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

18 (d) Registration shall not be required for:

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



## S.B. NO. 196

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           (e) ~~[No fee shall be charged for the registration of a~~  
8 ~~firearm under this section, except for a fee]~~ The county council  
9 of each county may establish a processing fee payable to the  
10 county's police department for the registration of a firearm  
11 under this section. If established, the registration fee shall  
12 be chargeable by and payable to the registering county for  
13 persons registering a firearm under subsection (a), in an amount  
14 equal to the fee actually charged by the Federal Bureau of  
15 Investigation to the registering police department for a  
16 fingerprint check in connection with the registration. In the  
17 case of a joint registration, the fee provided for in this  
18 section may be charged to each person.

19           (f) The processing fee for the registration of firearms  
20 owned by active duty military personnel transferring to the  
21 State shall be waived."



# S.B. NO. 196

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

3       "(d) A fee of [~~\$10~~] \$25 shall be charged for each license  
4 and shall be deposited in the treasury of the county in which  
5 the license is granted."

6       SECTION 4. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

*Will Lyne*

*Samuel*



# S.B. NO. 196

**Report Title:**

Firearms Registration Fee; Firearms Permit to Acquire Fee;  
Counties

**Description:**

Allows each county council to establish a processing fee for a  
firearms permit to acquire and firearm registration.

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

