STAND. COM. REP. NO. 349D

Honolulu, Hawaii

APR 0 8 2016

RE: H.B. No. 625

H.D. 1 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Twenty-Eighth State Legislature Regular Session of 2016 State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred H.B. No. 625, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FIREARMS,"

begs leave to report as follows:

The purpose and intent of this measure is to enhance protections against acts of gun violence committed by individuals with a history of dangerous behavior by including misdemeanor harassment by stalking and sexual assault among the offenses that disqualify a person from owning, possessing, or controlling any firearm or ammunition.

Your Committee received testimony in support of this measure from the Department of the Attorney General; Department of the Prosecuting Attorney, City and County of Honolulu; Police Department, City and County of Honolulu; Americans for Responsible Solutions; The Sex Abuse Treatment Center; Hoʻomana Pono, LLC; and five individuals. Your Committee received testimony in opposition to this measure from the Hawaii Members of the National Rifle Association of America, Hawaii Rifle Association, Institute for Rational and Evidence-based Legislation, and twenty-four individuals.

Your Committee finds that sexual assault in the fourth degree and harassment by stalking can escalate into more violent conduct and eventually become lethal, particularly when firearms are involved. Research indicates a correlation between partner

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stalking, sexual assault, and the propensity for partner stalkers to use firearms against their victims. By restricting individuals with a history of these dangerous behaviors from owning or possessing firearms, this measure contributes to the safety and security of the public.

Your Committee has amended this measure by:

- (1) Clarifying under section 1 that its purpose is to specify, rather than add, misdemeanor harassment by stalking and sexual assault as crimes of violence that disqualify a person from owning, possessing, or controlling any firearm or ammunition;
- (2) Deleting references to offenses under the laws of another jurisdiction that are comparable to sexual assault in the fourth degree and harassment by stalking; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 625, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 625, H.D. 1, S.D. 1.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Labor,

GILBERT S.C. KEITH-AGARAM Chair

The Senate Twenty-Eighth Legislature State of Hawai'i

Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:* HB 625 HD1	Committee Referral: PSM , JDL		Da	Date:	
NO 672 HAI	1 2141,	JVL 		3/30	116
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)					
SHIMABUKURO, Maile S.L. (VC)					
GABBARD, Mike					
KAHELE, Kaialiʻi					
KIM, Donna Mercado					
THIELEN, Laura H.					
SLOM, Sam					
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TOTAL		5	0		1
Recommendation: Adopted			Not Adopted		
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenro File with Committee Report Clerk's Office Drafting Agency Committee File					

*Only one measure per Record of Votes