

Honolulu, Hawaii

FEB 18 2016

RE: S.B. No. 2956

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

Sir:

Your Committee on Public Safety, Intergovernmental, and
Military Affairs, to which was referred S.B. No. 2956 entitled:

"A BILL FOR AN ACT RELATING TO FIREARMS,"

begs leave to report as follows:

The purpose and intent of this measure is to require firearm owners who have been disqualified from owning a firearm due to mental illness to immediately surrender their firearms and to authorize the chief of police to seize the firearms if the owner fails to comply.

Your Committee received testimony in support of this measure from the Honolulu Police Department and four individuals. Your Committee received testimony in opposition to this measure from the Department of the Prosecuting Attorney for the County of Maui, Hawaii Rifle Association, National Rifle Association, and twenty-one individuals.

Your Committee finds that currently, county police officers are prohibited, even in the most volatile situations, from seizing a firearm from an owner who is suffering from mental illness and is disqualified from ownership, possession, or control of firearms or ammunition. Before a firearm can be seized from such an owner, the owner must be notified of the requirement to surrender the firearm via registered mail, at which point the owner has thirty days to voluntarily surrender or transfer the firearm. Your Committee finds that the potential for harm to the owner or to the public during that window of time presents an unnecessary risk. This measure will allow police officers to seize firearms



immediately upon notification by the owner's treating physician or upon an emergency mental health hospitalization. This measure will not change the required standard for seizure of a firearm.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2956 and recommends that it pass Second Reading and be referred to your Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Intergovernmental, and Military
Affairs,



CLARENCE K. NISHIHARA, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental and Military Affairs
PSM

Bill / Resolution No.:* <div style="text-align: center;">SB2956</div>	Committee Referral: <div style="text-align: center;">PSM, JDL</div>	Date: <div style="text-align: center; font-size: 1.2em;">2/11/16</div>										
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____												
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>												
Members	Aye	Aye (WR)	Nay	Excused								
NISHIHARA, Clarence K. (C)	/											
ESPERO, Will (VC)	/											
BAKER, Rosalyn H.				/								
INOUE, Lorraine R.	/											
SLOM, Sam				/								
TOTAL	3			2								
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>												
Chair's or Designee's Signature: <div style="text-align: center; margin-top: 10px; font-family: cursive; font-size: 1.2em;">Will Espero</div>												
<table style="width: 100%; font-size: 0.8em;"> <tr> <td style="width: 25%;">Distribution:</td> <td style="width: 25%;">Original</td> <td style="width: 25%;">Yellow</td> <td style="width: 25%;">Pink</td> </tr> <tr> <td></td> <td>File with Committee Report</td> <td>Clerk's Office</td> <td>Drafting Agency</td> </tr> </table> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> Goldenrod Committee File Copy </div>					Distribution:	Original	Yellow	Pink		File with Committee Report	Clerk's Office	Drafting Agency
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*Only one measure per Record of Votes