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# A BILL FOR AN ACT

RELATING TO FIREARM REGISTRATION.

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

1           SECTION 1. The legislature finds that the State has some  
2 of the strongest gun safety laws in the nation. However, based  
3 on the recent report by the legislative research bureau on  
4 statistical data relating to firearms, there is no accurate data  
5 on the number of firearms in the State. This is in part because  
6 currently there is no reporting mechanism for the firearms that  
7 are moved out of the State, only for those being transferred  
8 into the State.

9           The purpose of this Act is to amend the mandates of section  
10 134-3, Hawaii Revised Statutes, to include providing  
11 notification of permanently removing firearms from the State.

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

14           "**§134-3 Registration, mandatory, exceptions.** (a) Every  
15 person arriving in the State who brings or by any other manner  
16 causes to be brought into the State a firearm of any  
17 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 International  
7 Justice and Public Safety Network, including the United States  
8 Immigration and Customs Enforcement query, the National Crime  
9 Information Center, and the National Instant Criminal Background  
10 Check System, pursuant to section 846-2.7 before any  
11 determination to register a firearm is made.

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



1 space provided for the serial number, and the permit number  
2 shall be engraved upon the receiver portion of the firearm  
3 before registration. All registration data that would identify  
4 the individual registering the firearm by name or address shall  
5 be confidential and shall not be disclosed to anyone, except as  
6 may be required:

- 7 (1) For processing the registration;
- 8 (2) For database management by the Hawaii criminal justice  
9 data center;
- 10 (3) By a law enforcement agency for the lawful performance  
11 of its duties; or
- 12 (4) By order of a court.

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

19 (d) Registration shall not be required for:

- 20 (1) Any device that is designed to fire loose black powder  
21 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 and Explosives of the United States  
6           Department of Justice pursuant to Title 27, Code of  
7           Federal Regulations.

8           (e) Every person who permanently moves firearms out of the  
9           State shall contact the county police department where the  
10           firearms are registered to notify the appropriate police  
11           department that the firearms have been moved out of State within  
12           five days of having been removed from the State.

13           [~~(e)~~] (f) No fee shall be charged for the registration of  
14           a firearm under this section, except for a fee chargeable by and  
15           payable to the registering county for persons registering a  
16           firearm under subsection (a), in an amount equal to the fee  
17           charged by the Hawaii criminal justice data center pursuant to  
18           section 846-2.7. In the case of a joint registration, the fee  
19           provided for in this section may be charged to each person.

20           [~~(f)~~] (g) No person less than twenty-one years of age  
21           shall bring or cause to be brought into the State any firearm."



1 SECTION 3. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

Firearms; Gun Safety; Registration

**Description:**

Require the registration of firearms that are moved out of the State. (SD1)

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

