

JAN 22 2021

A BILL FOR AN ACT

RELATING TO FIREARMS.

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

1 SECTION 1. The legislature finds that an estimated
2 4,600,000 children and adolescents in the United States live in
3 homes with at least one unsecured firearm and that the presence
4 of unsecured firearms in the home increases the risk of
5 unintentional and intentional shootings. Furthermore, the
6 United States Secret Service and the United States Department of
7 Education report that in sixty-eight per cent of deadly school
8 shootings, the attacker obtained the firearm from the attacker's
9 home or that of a relative. In addition, over seventy-five per
10 cent of firearms used in suicide attempts and unintentional
11 firearm injuries among children and adolescents were stored in
12 the residence of the victim, a relative, or a friend. The
13 legislature further finds that teenagers between the ages of
14 sixteen and eighteen have the highest rates of suicide attempts
15 among all children and adolescents, while more than half of all
16 school shootings have been perpetrated by sixteen and seventeen-
17 year-olds. The legislature therefore finds that it is necessary



1 to raise the maximum age of minors for which safe storage of
2 firearms is required from sixteen to eighteen years.

3 SECTION 2. Section 134-10.5, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "[+]§134-10.5[+] **Storage of firearm; responsibility with**
6 **respect to minors.** No person shall store or keep any firearm on
7 any premises under the person's control if the person knows or
8 reasonably should know that a minor is likely to gain access to
9 the firearm without the permission of the parent or guardian of
10 the minor, unless the person:

11 (1) Keeps the firearm in a securely locked box or other
12 container or in a location that a reasonable person
13 would believe to be secure; or

14 (2) Carries the firearm on the person or within such close
15 proximity thereto that the person [~~readily~~] can
16 readily retrieve and use it as if it were carried on
17 the person.

18 For purposes of this section, "minor" means any person under the
19 age of [~~sixteen~~] eighteen years."

20 SECTION 3. Section 707-714.5, Hawaii Revised Statutes, is
21 amended by amending subsection (1) to read as follows:



S.B. NO. 198

1 "(1) A person commits the offense of criminally negligent
2 storage of a firearm if the person violates section 134-10.5 and
3 a minor obtains the firearm. For purposes of this section,
4 "minor" means any person under the age of [~~sixteen~~] eighteen
5 years."

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.

9

INTRODUCED BY: _____

Kal Nehal



S.B. NO. 198

Report Title:

Firearms; Storage; Responsibility with Respect to Minors

Description:

Raises the maximum age of minors for which safe storage of firearms is required from sixteen to eighteen years.

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

