

JAN 21 2022

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# A BILL FOR AN ACT

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RELATING TO FIREARMS.

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

1       SECTION 1. The legislature finds that to ensure the safety  
2 of the public it is crucial for persons permitted to carry a  
3 firearm in the State to have regular and robust training that  
4 ensures a thorough understanding of when and when not to use a  
5 firearm, how to de-escalate a dangerous situation, how to deal  
6 with an active shooter situation, how to engage with law  
7 enforcement, and demonstrate the safe use, operation, and  
8 storage of a firearm to ensure the safety of all.

9       The legislature recognizes that there is an inherent danger  
10 in operating a firearm. Data shows that it is often more likely  
11 to be stolen, misused, or used against the owner of the firearm  
12 or others, than used as intended for self-defense. In many  
13 events, the presence of a firearm has the potential to escalate  
14 conflict, violence, and fatalities. Too often, during an active  
15 shooter event, innocent bystanders are wounded or killed by  
16 gunfire intended to stop the active shooter, and persons



1 carrying firearms who intend to stop an active shooter cannot be  
2 easily distinguished, by law enforcement, from active shooters.

3 The legislature believes that robust training in firearm  
4 use to prepare for chaotic situations, such as an active shooter  
5 event, can save lives. Further, laws that require de-escalation  
6 training will give members of the public confidence that those  
7 among them who may be permitted to carry a firearm in public are  
8 trained and capable of safe firearm use.

9 Finally, the legislature believes it is prudent for anyone  
10 carrying a firearm to also carry a non-lethal electric gun, also  
11 known as a taser, to ensure a non-lethal option to minimize the  
12 risk of unintended injuries or fatalities in difficult  
13 situations.

14 The purpose of this Act is to ensure public safety by  
15 improving the training of individuals who are licensed to carry  
16 handguns by:

- 17 (1) Requiring all individuals to undergo additional  
18 training before applying for or renewing a license to  
19 carry a handgun;
- 20 (2) Requiring any individual applying for or renewing a  
21 license to carry a handgun to undergo the same review



as an individual applying for or renewing a license to carry a handgun;

(3) Reducing the term of a license to carry a handgun from one year to six months to ensure those permitted are properly trained at all times; and

(4) Requiring non-lethal electric guns, also known as tasers, to be carried when carrying a firearm.

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

"(g) Effective July 1, 1995, no person shall be issued a permit under this section for the acquisition of a pistol or revolver unless the person, at any time prior to the issuance of the permit, has completed:

(1) An approved hunter education course as authorized under section 183D-28;

(2) A firearms safety or training course or class available to the general public offered by a law enforcement agency of the State or of any county;

(3) A firearms safety or training course offered to law enforcement officers, security guards, investigators, deputy sheriffs, or any division or subdivision of law



1 enforcement or security enforcement by a state or  
2 county law enforcement agency; [~~or~~]

3 (4) A firearms training or safety course or class  
4 conducted by a state certified or National Rifle  
5 Association certified firearms instructor or a  
6 certified military firearms instructor that provides,  
7 at a minimum, a total of at least two hours of firing  
8 training at a firing range and a total of at least  
9 four hours of classroom instruction, which may include  
10 a video, that focuses on:

11 (A) The safe use, handling, and storage of firearms  
12 and firearm safety in the home; and

13 (B) Education on the firearm laws of the State.

14 An affidavit signed by the certified firearms  
15 instructor who conducted or taught the course,  
16 providing the name, address, and phone number of the  
17 instructor and attesting to the successful completion  
18 of the course by the applicant shall constitute  
19 evidence of certified successful completion under this  
20 paragraph[~~-~~]; or



(5) A firearms training or safety course or class  
conducted by a state certified firearms instructor or  
a certified military firearms instructor that  
provides, at a minimum, all of the training of a  
safety course or class described in paragraph (4) and  
also provides a total of at least sixteen hours of  
additional training in:

- (A) Properly carrying weapons in public;
- (B) Situation de-escalation;
- (C) Interaction with law enforcement; and
- (D) The proper use of a weapon as a last resort.

An affidavit signed by the certified firearms  
instructor who conducted or taught the course,  
providing the name, address, and phone number of the  
instructor and attesting to the successful completion  
of the course by the applicant shall constitute  
evidence of certified successful completion under this  
paragraph."

SECTION 3. Section 134-9, Hawaii Revised Statutes, is  
amended to read as follows:



1        **"§134-9 Licenses to carry.** (a) In an exceptional case,  
2 when an applicant shows reason to fear injury to the applicant's  
3 person or property, the chief of police of the appropriate  
4 county may grant a license to an applicant who is a citizen of  
5 the United States of the age of twenty-one years or more or to a  
6 duly accredited official representative of a foreign nation of  
7 the age of twenty-one years or more to carry a pistol or  
8 revolver and ammunition therefor concealed on the person within  
9 the county where the license is granted. Where the urgency or  
10 the need has been sufficiently indicated, the respective chief  
11 of police may grant to an applicant of good moral character who  
12 is a citizen of the United States of the age of twenty-one years  
13 or more, is engaged in the protection of life and property, and  
14 is not prohibited under section 134-7 from the ownership or  
15 possession of a firearm, a license to carry a pistol or revolver  
16 and ammunition therefor unconcealed on the person within the  
17 county where the license is granted. The chief of police of the  
18 appropriate county, or the chief's designated representative,  
19 shall perform an inquiry on an applicant by using the National  
20 Instant Criminal Background Check System, to include a check of  
21 the Immigration and Customs Enforcement databases where the



1 applicant is not a citizen of the United States, before any  
2 determination to grant a license is made. Unless renewed, [the]  
3 a license issued pursuant to this section shall expire [one]:

4 (1) One year from the date of issue[-] if the license was  
5 issued on an initial or renewal basis before July 1,  
6 2022; or

7 (2) Six months from the date of issue if the license was  
8 issued on an initial or renewal basis after June 30,  
9 2022.

10 (b) The chief of police of each county shall adopt  
11 procedures to require that any person granted a license to carry  
12 a ~~[concealed weapon]~~ pistol or revolver and ammunition on the  
13 person shall:

14 (1) Be qualified to use the firearm in a safe manner[+],  
15 as evidenced by documentation showing successful  
16 completion by the person of a firearms safety or  
17 training course or class approved by the chief of  
18 police of the appropriate county and as described in  
19 section 134-2(g)(5); provided that the person shall  
20 have completed the course within thirty days before  
21 applying for or renewing a license;



1 (2) Appear to be a suitable person to be so licensed;

2 (3) Not be prohibited under section 134-7 from the  
3 ownership or possession of a firearm; ~~and~~

4 (4) Not have been adjudged insane or not appear to be  
5 mentally deranged[-]; and

6 (5) Also carry on the person an electric gun, as defined  
7 in section 134-1, which is intended to be non-lethal  
8 by design, whenever the licensee carries a pistol or  
9 revolver pursuant to the license.

10 (c) If a licensee violates any requirement relating to the  
11 license, the chief of police who issued the license shall revoke  
12 the license.

13 ~~[(e)]~~ (d) No person shall carry concealed or unconcealed  
14 on the person a pistol or revolver without being licensed to do  
15 so under this section or in compliance with ~~[sections]~~ section  
16 134-5(c) or section 134-25.

17 ~~[(d)]~~ (e) A fee of \$10 shall be charged for each license  
18 and shall be deposited in the treasury of the county in which  
19 the license is granted."





# S.B. NO. 2800

1       SECTION 4. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4       SECTION 5. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6       SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY: 



# S.B. NO. 2800

**Report Title:**

Firearms; Carry; Licenses; Terms; Training Requirements;  
Electric Guns

**Description:**

Requires appropriate training before applying for or renewing a license to carry a handgun. Reduces the term of a license to carry a handgun from one year to six months.

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

