
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 the Terrorist
2 Screening Database, informally referred to as the terrorist
3 watchlist, was established under President George W. Bush in
4 2003 as a response to the September 11, 2001, attacks. Several
5 federal agencies can submit information to the watchlist, which
6 is administered by the Federal Bureau of Investigation's
7 Terrorist Screening Center. Individuals are placed on the
8 watchlist when there is reasonable suspicion that they are known
9 or suspected terrorists.

10 According to the United States Government Accountability
11 Office, individuals on the watchlist attempted to purchase
12 firearms from United States dealers at least 2,233 times and
13 succeeded ninety-one per cent of the time. The legislature
14 concludes that inclusion on the Federal Bureau of
15 Investigation's Terrorist Screening Database indicates that an
16 individual poses a serious risk to public safety. At least two
17 other states have implemented, and several others are



1 considering, prohibitions on firearms ownership by individuals
2 on the watchlist.

3 The purpose of this Act is to require notification to the
4 Terrorist Screening Center of the Federal Bureau of
5 Investigation as part of the State's gun permit background check
6 process.

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

9 "(e) The permit application form shall be signed by the
10 applicant and by the issuing authority. One copy of the permit
11 shall be retained by the issuing authority as a permanent
12 official record. Except for sales to dealers licensed under
13 section 134-31, or dealers licensed by the United States
14 Department of Justice, or law enforcement officers, or where a
15 license is granted under section 134-9, or where any firearm is
16 registered pursuant to section 134-3(a), no permit shall be
17 issued to an applicant earlier than fourteen calendar days after
18 the date of the application; provided that a permit shall be
19 issued or the application denied before the twentieth day from
20 the date of application. Permits issued to acquire any pistol
21 or revolver shall be void unless used within ten days after the



1 date of issue. Permits to acquire a pistol or revolver shall
2 require a separate application and permit for each transaction.
3 Permits issued to acquire any rifle or shotgun shall entitle the
4 permittee to make subsequent purchases of rifles or shotguns for
5 a period of one year from the date of issue without a separate
6 application and permit for each acquisition, subject to the
7 disqualifications under section 134-7 and subject to revocation
8 under section 134-13; provided that if a permittee is arrested
9 for committing a felony or any crime of violence or for the
10 illegal sale of any drug, the permit shall be impounded and
11 shall be surrendered to the issuing authority. The issuing
12 authority shall perform an inquiry on an applicant by using the
13 International Justice and Public Safety Network, including the
14 United States Immigration and Customs Enforcement query, the
15 National Crime Information Center, and the National Instant
16 Criminal Background Check System, pursuant to section 846-2.7,
17 and shall inform the Federal Bureau of Investigation's Terrorist
18 Screening Center of the application, before any determination to
19 issue a permit or to deny an application is made."

20 SECTION 3. New statutory material is underscored.

21



H.B. NO. 804

Report Title:

Terrorist Screening Database; Terrorist Watch List; Firearms and Ammunition; Gun Permit Application Background Check

Description:

Adds the requirement of notifying the Terrorist Screening Center administered by the Federal Bureau of Investigation as part of the gun permit application background check process.

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