

Honolulu, Hawaii

MAR 22 2023

RE: H.B. No. 984  
H.D. 2  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Public Safety and Intergovernmental and Military Affairs, to which was referred H.B. No. 984, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO FIREARMS,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify, revise, and update the State's firearms laws by:

- (1) Prohibiting firearms in certain locations and premises and providing for enhanced sentencing;
- (2) Requiring possession and disclosure of a license to carry;
- (3) Prohibiting an unsecured and unattended firearm in a vehicle;
- (4) Prohibiting consuming or being under the influence of alcohol, an intoxicating liquor, or a controlled substance when carrying a firearm;
- (5) Prohibiting carrying or possessing firearms on certain private property open to the public without express authorization;



- (6) Requiring annual reports from the Department of the Attorney General on carry licenses;
- (7) Amending the requirements for obtaining, and revocation of, firearms permits and licenses;
- (8) Amending the disqualification of persons from owning, possessing, or controlling a firearm; and
- (9) Expanding the qualified immunity for health care providers who provide information on firearms applicants to include physician assistants and advanced practice registered nurses.

Your Committee received testimony in support of this measure from the Department of the Attorney General; Department of Business, Economic Development, and Tourism; Office of Planning and Sustainable Development; University of Hawai'i System; Hawai'i State Public Library System; Department of Transportation Services of the City and County of Honolulu; Healthcare Association of Hawaii; Hawai'i Children's Action Network Speaks!; Brady Campaign to Prevent Gun Violence; Retail Merchants of Hawaii; Hawai'i State Coalition Against Domestic Violence; Hawaii Bankers Association; Church of the Crossroads United Church of Christ; Everytown for Gun Safety; Moms Demand Action for Gun Sense in America; Students Demand Action for Gun Sense in America; Indivisible Hawaii; Hawaii Coalition to Prevent Gun Violence; Hale Ola Spa and Apothecary; Hawaii Credit Union League; Epic 'Ohana, Inc.; and more than two hundred individuals. Your Committee received testimony in opposition to this measure from the National Rifle Association of America; Hawaii Firearms Coalition; Rosa's Arms, LLC; Hawaii Federation of Republican Women; and more than one hundred individuals. Your Committee received comments on this measure from the Honolulu Police Department and Domestic Violence Action Center.

Your Committee finds that the United States Supreme Court held in *New York State Rifle and Pistol Association v. Bruen*, 142 S. Ct. 2111 (2022) that the Second Amendment requires that state law must provide clear and objective criteria to determine when licenses to carry firearms in public will be granted; and if an applicant meets the statutory criteria established by the state



legislature, then a license to carry a concealed weapon in public shall be granted. The Supreme Court's *Bruen* decision will result in a significant increase in the presence of firearms in public, with more individuals carrying concealed firearms in Hawaii than ever before in the State's history. Your Committee believes that this presents serious challenges for public health and safety. This measure addresses the serious hazards to public health, safety, and welfare posed by firearms and gun violence by clarifying, updating, and revising the State's firearms laws.

Your Committee has amended this measure by:

- (1) Including the following as locations where carrying a firearm is prohibited:
  - (A) All public library property, buildings, facilities, meeting rooms, and spaces used for community programming;
  - (B) Research facilities at any public or private community college, college, or university;
  - (C) Any shelter, residential, or programmatic facility operated by a government entity or a charitable organization serving unhoused persons or victims of domestic violence or children, including children involved in the juvenile justice system; and
  - (D) Paratransit vans and bus shelters; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 984, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 984, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.



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

  
\_\_\_\_\_  
GLENN WAKAI, Chair



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

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 984 HD2	PSM, JDC	3/17/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
WAKAI, Glenn (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
FUKUNAGA, Carol	✓			
MCKELVEY, Angus L.K.				✓
AWA, Brenton			✓	
<b>TOTAL</b>	3	0	1	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align: center;"></div>				
<b>Distribution:</b> Original      Yellow      Pink      Goldenrod File with Committee Report      Clerk's Office      Drafting Agency      Committee File Copy				

\*Only one measure per Record of Votes