

STAND. COM. REP. NO.

788

Honolulu, Hawaii

**FEB 22**

, 2023

RE: H.B. No. 981  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 981 entitled:

"A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY BACKGROUND CHECKS,"

begs leave to report as follows:

The purpose of this measure is to authorize a fingerprint-based criminal history background check by the county police departments of applicants for licenses to sell, offer to sell, distribute, or otherwise transfer electric guns or cartridges.

Your Committee received testimony in support of this measure from the Department of the Attorney General and two individuals. Your Committee received testimony in opposition to this measure from the Honolulu Police Department, Hawaii Firearms Coalition, and numerous individuals.

Your Committee finds that the county police departments currently verify an applicant's Hawaii criminal conviction record through the Hawaii Criminal Justice Data Center. This measure would allow the county police departments to conduct a further search for convictions in other states using the National Crime Information Center.

2023-1737 HB981 HD1 HSCR HMSO



Your Committee has amended this measure by:

- (1) Clarifying the required information from applying entities and their responsible persons for applications to sell, offer to sell, distribute, or otherwise transfer electric guns or cartridges;
- (2) Clarifying the requirement for fingerprinting and photographing the responsible persons of applying entities, including when the requirement may be waived and who is responsible for all applicable fees;
- (3) Prohibiting the issuance of a license to sell, offer to sell, distribute, or otherwise transfer electric guns or cartridges when the applicant or responsible person has any conviction for any felony offense;
- (4) Defining the terms "applying entity" and "responsible person";
- (5) Clarifying the police department's authority to conduct criminal history record checks on responsible persons for licenses to sell, offer to sell, distribute, or otherwise transfer electric guns or cartridges; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 981, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 981, H.D. 1, and be placed on the calendar for Third Reading.



Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



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DAVID A. TARNAS, Chair



State of Hawaii  
House of Representatives  
The Thirty-second Legislature

HSCR 788

**Record of Votes of the Committee on Judiciary & Hawaiian Affairs**

<b>Bill/Resolution No.:</b> <p style="text-align: center; font-size: 1.2em;">HB 981</p>	<b>Committee Referral:</b> <p style="text-align: center; font-size: 1.2em;">JHA</p>	<b>Date:</b> <p style="text-align: center; font-size: 1.2em;">2/14/2023</p>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	✓			
2. TAKAYAMA, Gregg (VC)	✓			
3. GANADEN, Sonny				✓
4. HOLT, Daniel	✓			
5. HASHIMOTO, Troy N.	✓			
6. ICHIYAMA, Linda	✓			
7. ILAGAN, Greggor	✓			
8. KONG, Sam Satoru			✓	
9. MIZUNO, John M.	✓			
10. SOUZA, Kanani			✓	
<b>TOTAL (10)</b>	7	-	2	1
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 0.8em;">committee acronym(s)</div>				
<b>Vice Chair's or designee's signature:</b> _____ 				
<b>Distribution:</b> Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				