

THE SENATE  
THIRTY-SECOND LEGISLATURE, 2023  
STATE OF HAWAII

S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

---

# 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 there are compelling  
2       interests in protecting public health, safety, and welfare from  
3       the serious hazards associated with firearms and gun violence.  
4       Although the United States Supreme Court has held that the  
5       Second Amendment provides for an individual right to keep and  
6       bear arms for lawful purposes, the Second Amendment is not "a  
7       regulatory straightjacket". *New York State Rifle & Pistol*  
8       *Ass'n, Inc. v. Bruen*, 142 S.Ct. 2111, 2133 (2022). States  
9       retain authority to enact "a 'variety' of gun regulations", *id.*  
10      at 2162 (Kavanaugh, J., concurring), such as prohibitions  
11      against the carrying of firearms in sensitive locations and laws  
12      and regulations designed to ensure that those who carry firearms  
13      are "'law-abiding, responsible citizens'", *id.* at 2131, 2156  
14      (internal citation omitted).

15      The purpose of this Act is to clarify, revise, and update  
16      Hawaii's firearms laws to mitigate the serious hazards to public  
17      health, safety, and welfare associated with firearms and gun  
18      violence, while respecting and protecting the lawful exercise of



1 individual rights. To accomplish this purpose, this Act amends  
2 and enacts requirements and processes for obtaining a license to  
3 carry a firearm, updates criteria governing when firearm  
4 ownership, possession, or control is prohibited, defines  
5 locations and premises within the State where carrying or  
6 possessing a firearm is prohibited, prohibits leaving an  
7 unsecured firearm in a vehicle unattended, and enacts, amends,  
8 and clarifies other provisions relating to firearms.

9 In prohibiting carrying or possessing firearms in certain  
10 locations and premises within the State, this Act is intended to  
11 protect areas in which carrying or possessing dangerous weapons  
12 has traditionally been restricted, such as schools and other  
13 places frequented by children, government buildings, polling  
14 places, and other analogous locations.

15 This Act also respects the right of private individuals and  
16 entities to choose for themselves whether to allow or restrict  
17 the carrying of firearms on their property by providing that  
18 firearms shall not be carried on private property of another  
19 person without the express authorization of the owner, lessee,  
20 operator, or manager of the property. Recognizing the risks to  
21 public health, safety, and welfare associated with firearms and



1 gun violence, and based on the legislature's assessment of  
2 public sentiment and broadly shared preferences within the  
3 State, this Act establishes a default rule with respect to  
4 carrying firearms on private property of another person that  
5 provides for private entities to "opt-in" to authorize the  
6 public carry of firearms on their property.

7 This Act also adjusts certain regulatory fees relating to  
8 firearms. These adjustments are warranted because prior fee  
9 amounts were established by statute decades ago and have not  
10 been adjusted to reflect inflation and increased costs  
11 associated with background checks and investigations.

12 SECTION 2. Chapter 134, Hawaii Revised Statutes, is  
13 amended by adding seven new sections to part I to be  
14 appropriately designated and to read as follows:

15 "§134-A Carrying or possessing a firearm in certain  
16 locations and premises prohibited; penalty. (a) A person with  
17 a license issued under section 134-9, or authorized to carry a  
18 firearm in accordance with title 18 United States Code section  
19 926B or 926C, shall not intentionally, knowingly, or recklessly  
20 carry or possess a loaded or unloaded firearm, whether the  
21 firearm is operable or not, and whether the firearm is concealed



1 or unconcealed, while in any of the following locations and  
2 premises within the State:

3 (1) Any building or office owned, leased, or used by the  
4 State or a county, and adjacent grounds and parking  
5 areas, including any portion of a building or office  
6 used for court proceedings, legislative business,  
7 contested case hearings, agency rulemaking, or other  
8 activities of state or county government;

9 (2) Any public or private hospital, mental health  
10 facility, nursing home, clinic, medical office, urgent  
11 care facility, or other place at which medical or  
12 health services are customarily provided, including  
13 adjacent parking areas;

14 (3) Any adult or juvenile detention or correctional  
15 facility, prison, or jail, including adjacent parking  
16 areas;

17 (4) Any bar or restaurant serving alcohol or intoxicating  
18 liquor as defined in section 281-1 for consumption on  
19 the premises, including adjacent parking areas;

20 (5) Any stadium, movie theater, or concert hall, or any  
21 place at which a professional, collegiate, high



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 school, amateur, or student sporting event is being  
2 held, including adjacent parking areas;

3 (6) All public library property, including buildings,  
4 facilities, meeting rooms, spaces used for community  
5 programming, adjacent grounds, and parking areas;

6 (7) The campus or premises of any public or private  
7 community college, college, or university, and  
8 adjacent parking areas, including buildings,  
9 classrooms, laboratories, research facilities,  
10 artistic venues, and athletic fields or venues;

11 (8) The campus or premises of any public school, charter  
12 school, private school, preschool, summer camp, or  
13 child care facility as defined in section 346-151,  
14 including adjacent parking areas, but not including:

15 (A) A private residence at which education is  
16 provided for children who are all related to one  
17 another by blood, marriage, or adoption; or

18 (B) A dwelling when not used as a child care  
19 facility;

20 (9) Any beach, playground, park, or adjacent parking area,  
21 including any state park, state monument, county park,



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 tennis court, golf course, swimming pool, or other  
2 recreation area or facility under control,  
3 maintenance, and management of the State or a county,  
4 but not including an authorized target range or  
5 shooting complex;

6 (10) Any shelter, residential, or programmatic facility or  
7 adjacent parking area operated by a government entity  
8 or charitable organization serving unhoused persons,  
9 victims of domestic violence, or children, including  
10 children involved in the juvenile justice system;

11 (11) Any voter service center as defined in section 11-1 or  
12 other polling place, including adjacent parking areas;

13 (12) The premises of any bank or financial institution as  
14 defined in section 211D-1, including adjacent parking  
15 areas;

16 (13) Any place, facility, or vehicle used for public  
17 transportation or public transit, and adjacent parking  
18 areas, including buses, paratransit vans, bus shelters  
19 and terminals (but not including bus stops located on  
20 public sidewalks), trains, rail stations, and  
21 airports;



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1       (14) Any amusement park, aquarium, carnival, circus, fair,  
2           museum, water park, or zoo, including adjacent parking  
3           areas; or

4       (15) Any public gathering, public assembly, or special  
5           event conducted on property open to the public,  
6           including any demonstration, march, rally, vigil,  
7           protest, picketing, or other public assembly, for  
8           which a permit is obtained from the federal  
9           government, the State, or a county, and the sidewalk  
10          or street immediately adjacent to the public  
11          gathering, public assembly, or special event; provided  
12          that there are signs clearly and conspicuously posted  
13          at visible places along the perimeter of the public  
14          gathering, public assembly, or special event.

15       (b) This section shall not apply to a person in an exempt  
16       category identified in section 134-11(a). It shall be an  
17       affirmative defense to any prosecution under this section that a  
18       person is:

19       (1) Carrying or possessing an unloaded firearm in a police  
20           station in accordance with section 134-23(a)(6), 134-  
21           24(a)(6), or 134-25(a)(6);



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

- 1        (2) Carrying or possessing an unloaded firearm at an  
2        organized, scheduled firearms show or exhibit;
- 3        (3) Lawfully carrying or possessing a firearm for hunting  
4        in compliance with section 134-5;
- 5        (4) A private security officer expressly authorized to  
6        carry or possess a weapon in a location or premises  
7        listed in subsection (a) by the owner, lessee,  
8        operator, or manager of the location or premises;  
9        provided that the private security officer is acting  
10       within the private security officer's scope of  
11       employment;
- 12       (5) Carrying or possessing an unloaded firearm in a  
13       courthouse for evidentiary purposes with the prior  
14       express authorization of the court;
- 15       (6) Lawfully present within the person's own home, other  
16       than a college or university dormitory or shelter or  
17       residential facility serving unhoused persons or  
18       victims of domestic violence;
- 19       (7) Carrying a firearm pursuant to a license issued under  
20       section 134-9 or in accordance with title 18 United  
21       States Code section 926B or 926C in the immediate area





S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 surrounding the person's vehicle within a parking area  
2 for the limited purpose of storing or retrieving the  
3 firearm;

4 (8) Possessing a firearm in an airport or any place,  
5 facility, or vehicle used for public transportation or  
6 public transit; provided that the firearm is unloaded  
7 and in a locked hard-sided container for the purpose  
8 of transporting the firearm;

9 (9) Walking through a public gathering, public assembly,  
10 or special event if necessary to access the person's  
11 residence, place of business, or vehicle; provided  
12 that the person does not loiter or remain longer than  
13 necessary to complete their travel or business; or

14 (10) Carrying a concealed firearm in accordance with title  
15 18 United States Code section 926B or 926C in a  
16 location or premises within the State that is not a  
17 State or county property, installation, building,  
18 base, or park, and not a location or premises where a  
19 private person or entity has prohibited or restricted  
20 the possession of concealed firearms on their  
21 property.



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1        (c) The presence of a person in any location or premises  
2        listed in subsection (a) shall be prima facie evidence that the  
3        person knew it was a location or premises listed in subsection  
4        (a).

5        (d) Where only a portion of a building or office is owned,  
6        leased, or used by the State or a county, this section shall not  
7        apply to the portion of the building or office that is not  
8        owned, leased, or used by the State or a county, unless carrying  
9        or possessing a firearm within that portion is otherwise  
10       prohibited by this section.

11       (e) As used in this section, "private security officer"  
12       means any person employed and duly licensed to engage in the  
13       private detective or guard business pursuant to chapter 463.

14       (f) Any person who violates this section shall be guilty  
15       of a misdemeanor.

16       (g) If any ordinance of any county of the State  
17       establishing locations where the carrying of firearms is  
18       prohibited is inconsistent with this section or with section  
19       134-E, the ordinance shall be void to the extent of the  
20       inconsistency.



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1       §134-B Duty to maintain possession of license while  
2       carrying a firearm; duty to disclose; penalty. (a) A person  
3       carrying a firearm pursuant to a license issued under section  
4       134-9 or in accordance with title 18 United States Code section  
5       926B or 926C shall have in the person's immediate possession:

6           (1) The license issued under section 134-9 or  
7           documentation regarding the person's qualifications  
8           under title 18 United States Code section 926B or  
9           926C;

10          (2) Government-issued photo identification; and

11          (3) Except with respect to firearms that are a part of the  
12          official equipment of any federal agency as provided  
13          under section 134-11(b), documentary evidence that the  
14          firearm being carried is registered under this  
15          chapter,

16       and shall, upon request from a law enforcement officer, present  
17       government-issued photo identification and the license or  
18       credentials and evidence of registration.

19           (b) When a person carrying a firearm, including a person  
20       carrying a firearm pursuant to a license issued under section  
21       134-9 or in accordance with title 18 United States Code section



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 926B or 926C, is stopped by a law enforcement officer or is a  
2 driver or passenger in a vehicle stopped by a law enforcement  
3 officer, the person carrying a firearm shall immediately  
4 disclose to the law enforcement officer that the person is  
5 carrying a firearm, and shall, upon request:

6 (1) Identify the specific location of the firearm; and

7 (2) Present to the law enforcement officer a license to  
8 carry a firearm issued under section 134-9 or  
9 documentation regarding the person's qualifications  
10 under title 18 United States Code section 926B or  
11 926C.

12 (c) Any person who violates this section shall be guilty  
13 of a petty misdemeanor.

14 **§134-C Leaving unsecured firearm in vehicle unattended;**  
15 **penalty.** (a) No person shall intentionally, knowingly, or  
16 recklessly store or otherwise leave a loaded or unloaded firearm  
17 out of the person's immediate possession or control inside a  
18 vehicle without first securely locking the firearm in a safe  
19 storage depository that is out of sight from outside of the  
20 vehicle.



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1        (b) For purposes of this section, "safe storage  
2        depository" means a safe or other secure impact- and  
3        tamper-resistant container that, when locked, is incapable of  
4        being opened without a key, keypad, combination, or other  
5        unlocking mechanism and is capable of preventing an unauthorized  
6        person from obtaining access to or possession of the firearm  
7        contained therein. A vehicle's trunk or glove box alone, even  
8        if locked, is not a safe storage depository.

9        (c) This section shall not apply to a person in an exempt  
10       category identified in section 134-11(a).

11       (d) Any person who violates subsection (a) shall be guilty  
12       of a petty misdemeanor.

13       **§134-D Unlawful conduct while carrying a firearm; penalty.**

14       (a) A person carrying a firearm shall not:

15           (1) Consume alcohol or intoxicating liquor;

16           (2) Consume a controlled substance;

17           (3) Be under the influence of alcohol or intoxicating  
18           liquor; or

19           (4) Be under the influence of a controlled substance.

20       (b) As used in this section:



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 "Alcohol" and "intoxicating liquor" shall have the same  
2 meaning as in section 281-1.

3 "Controlled substance" means a drug, substance, or  
4 immediate precursor in schedules I through III of part II of  
5 chapter 329.

6 (c) Any person who violates this section shall be guilty  
7 of a misdemeanor; provided that any person who violates this  
8 section by consuming or being under the influence of alcohol or  
9 an intoxicating liquor shall be guilty of a petty misdemeanor.

10 §134-E Carrying or possessing a firearm on private  
11 property of another person without authorization; penalty. (a)  
12 A person carrying a firearm pursuant to a license issued under  
13 section 134-9 shall not intentionally, knowingly, or recklessly  
14 enter or remain on private property of another person while  
15 carrying a loaded or unloaded firearm, whether the firearm is  
16 operable or not, and whether the firearm is concealed or  
17 unconcealed, unless the person has been given express  
18 authorization to carry a firearm on the property by the owner,  
19 lessee, operator, or manager of the property.



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1        (b) For purposes of this section, express authorization to  
2        carry or possess a firearm on private property shall be  
3        signified by:

4        (1) Unambiguous written or verbal authorization; or  
5        (2) The posting of clear and conspicuous signage at the  
6        entrance of the building or on the premises,  
7        by the owner, lessee, operator, or manager of the property, or  
8        agent thereof, indicating that carrying or possessing a firearm  
9        is authorized.

10       (c) For purposes of this section:

11       "Private entity" means any homeowners' association,  
12       community association, planned community association,  
13       condominium association, cooperative, or any other  
14       nongovernmental entity with covenants, bylaws, or administrative  
15       rules, regulations, or provisions governing the use of private  
16       property.

17       "Private property" does not include property that is owned  
18       or leased by any governmental entity.

19       "Private property of another person" means residential,  
20       commercial, industrial, agricultural, institutional, or  
21       undeveloped property that is privately owned or leased, unless



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 the person carrying a firearm is an owner, lessee, operator, or  
2 manager of the property, including an ownership interest in a  
3 common element or limited common element of the property;  
4 provided that nothing in this chapter shall be construed to  
5 limit the enforceability of a provision in any private rental  
6 agreement restricting a tenant's possession or use of firearms,  
7 the enforceability of a restrictive covenant restricting the  
8 possession or use of firearms, or the authority of any private  
9 entity to restrict the possession or use of firearms on private  
10 property.

11 (d) This section shall not apply to a person in an exempt  
12 category identified in section 134-11(a).

13 (e) Any person who violates this section shall be guilty  
14 of a misdemeanor."

15 **§134-F Annual report on licenses to carry.** (a) No later  
16 than April 1, 2024, and April 1 of each year thereafter, the  
17 department of the attorney general shall publish a report on its  
18 publicly available website that includes, if available:

19 (1) The number of licenses to carry applied for, issued,  
20 revoked, and denied, further categorized by the age,





S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1           gender, race, and county of residence of each  
2           applicant or licensee;  
3           (2) The specific reasons for each revocation and denial;  
4           (3) Analysis of denials based on applicants' failure to  
5           meet the standards of section 134-9(d), and  
6           recommendations to remedy any disparities in denial  
7           rates by age, gender, or race;  
8           (4) The number of appeals and appeals granted; and  
9           (5) The number of violations of section 134-A.  
10          (b) No later than February 1 of each year, the chief of  
11 police of each county shall supply the department of the  
12 attorney general with the data the department requires to  
13 complete the report under subsection (a).

14          **§134-G Failure to conceal a firearm by a concealed carry**  
15 **licensee; penalty.** (a) A person commits the offense of failure  
16 to conceal a firearm by a concealed carry licensee if a person  
17 is carrying a firearm pursuant to a license issued under section  
18 134-9(a) and intentionally, knowingly, or recklessly causes  
19 alarm to another person by failing to conceal the firearm, even  
20 briefly, whether the firearm was loaded or not, and whether  
21 operable or not.



1        (b) It shall be a defense to any prosecution under this  
2        section if the person:

3        (1) Was within the person's private residence; or

4        (2) Caused the firearm to be unconcealed for the purpose  
5        of self-defense in accordance with section 703-304 or  
6        defense of another person in accordance with section  
7        703-305.

8        (c) Failure to conceal a firearm by a concealed carry  
9        licensee shall be a petty misdemeanor."

10       SECTION 3. Section 134-1, Hawaii Revised Statutes, is  
11       amended as follows:

12       1. By adding three new definitions to be appropriately  
13       inserted and to read:

14       "Concealed" means, in relation to a firearm, that the  
15       firearm is entirely hidden from view of the public and not  
16       discernible by ordinary observation, in a manner that a  
17       reasonable person without law enforcement training would be  
18       unable to detect the presence of the firearm.

19       "Criminal offense relating to firearms" means:

20       (1) Any criminal offense under this chapter punishable as  
21       a misdemeanor;



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

- 1        (2) Criminally negligent storage of a firearm under  
2        section 707-714.5; and  
3        (3) Any other criminal offense punishable as a misdemeanor  
4        under federal or state law or the law of another  
5        state, a United States territory, or the District of  
6        Columbia that has as an element of the offense the  
7        use, attempted use, threatened use, or possession of a  
8        firearm.

9        "Unconcealed" means not concealed."

10       2. By amending the definition of "crime of violence" to  
11 read:

12       "Crime of violence" means [any]:

- 13       (1) Any offense[, ~~as defined in title 37,~~] under federal  
14       or state law or the law of another state, a United  
15       States territory, or the District of Columbia that  
16       [~~involves injury~~] has as an element of the offense  
17       the:

18       (A) Injury or threat of injury to the person of  
19       another[, ~~including sexual~~]; or

20       (B) Use, attempted use, or threatened use of physical  
21       force against the person or property of another



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1                   or the creation of a substantial risk of causing  
2                   bodily injury;

3       (2)   Reckless endangering in the second degree under  
4           section 707-714;

5       (3)   Terroristic threatening in the second degree under  
6           section 707-717;

7       (4)   Sexual assault in the fourth degree under section 707-  
8           733 [~~and harassment~~];

9       (5)   Endangering the welfare of a minor in the second  
10           degree under section 709-904;

11       (6)   Endangering the welfare of an incompetent person under  
12           section 709-905;

13       (7)   Harassment under section 711-1106(1)(a);

14       (8)   Harassment by stalking under section 711-1106.5[-];

15       (9)   Criminal solicitation under section 705-510; provided  
16           that the solicitation was for a crime described or  
17           listed in paragraphs (1) to (8);

18       (10)   Criminal conspiracy under section 705-520; provided  
19           that the conspiracy was for a crime described or  
20           listed in paragraphs (1) to (8); and



1        (11) Offenses under federal law, or the law of another  
2                    state, a United States territory, or the District of  
3                    Columbia, that are comparable to the offenses  
4                    described or listed in paragraphs (1) to (10)."

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

7            **"§134-2 Permits to acquire.** (a) No person shall acquire  
8 the ownership of a firearm, whether usable or unusable,  
9 serviceable or unserviceable, modern or antique, registered  
10 under prior law or by a prior owner or unregistered, either by  
11 purchase, gift, inheritance, bequest, or in any other manner,  
12 whether procured in the State or imported by mail, express,  
13 freight, or otherwise, until the person has first procured from  
14 the chief of police of the county of the person's place of  
15 business or, if there is no place of business, the person's  
16 residence or, if there is neither place of business nor  
17 residence, the person's place of sojourn, a permit to acquire  
18 the ownership of a firearm as prescribed in this section. When  
19 title to any firearm is acquired by inheritance or bequest, the  
20 foregoing permit shall be obtained before taking possession of  
21 [a] the firearm; provided that upon presentation of a copy of



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 the death certificate of the owner making the bequest, any heir  
2 or legatee may transfer the inherited or bequested firearm  
3 directly to a dealer licensed under section 134-31 or licensed  
4 by the United States Department of Justice without complying  
5 with the requirements of this section.

6 (b) The permit application form shall ~~[include the]~~:

7 (1) Include:

8 (A) The applicant's name, address, ~~[sex,]~~ gender,  
9 height, weight, date of birth, place of birth,  
10 country of citizenship, social security number,  
11 alien or admission number~~[, and information]~~;

12 (B) Information regarding the applicant's mental  
13 health history;

14 (C) Any aliases or other names previously used by the  
15 applicant;

16 (D) Information that is or may be relevant in  
17 determining whether the applicant is disqualified  
18 under section 134-7 from the ownership,  
19 possession, or control of a firearm; and

20 (E) Information that is or may be relevant in  
21 determining whether the applicant lacks the



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1           essential character or temperament necessary to  
2           be entrusted with a firearm as set forth in  
3           subsection (e); and [shall require]

4       (2) Require the fingerprinting and photographing of the  
5       applicant by the police department of the county of  
6       registration; provided that where fingerprints and a  
7       photograph are already on file with the department,  
8       these may be waived.

9       (c) An applicant for a permit shall [sign]:

10      (1) Sign a waiver at the time of application, allowing the  
11      chief of police of the county issuing the permit or a  
12      designee of the chief of police access to [any] all  
13      records that have a bearing on the mental health of  
14      the applicant~~[- The permit application form and the~~  
15      ~~waiver form shall be prescribed by the attorney~~  
16      ~~general and shall be uniform throughout the State.]~~;  
17      and

18      (2) Identify any health care providers who possess or may  
19      possess the records described in paragraph (1).

20      (d) The chief of police of the respective counties [may]  
21      shall issue permits to acquire firearms to [citizens]:



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1       (1) Citizens, nationals, or lawful permanent residents of  
2           the United States of the age of twenty-one years or  
3           more ~~[, or duly]~~;

4       (2) Duly accredited official representatives of foreign  
5           nations ~~[, or duly]~~;

6       (3) Duly commissioned law enforcement officers of the  
7           State who are aliens; provided that any law  
8           enforcement officer who is the owner of a firearm and  
9           who is an alien shall transfer ownership of the  
10          firearm within forty-eight hours after termination of  
11          employment from a law enforcement agency ~~[, The chief~~  
12          ~~of police of each county may issue permits to aliens]~~;

13      (4) Aliens of the age of eighteen years or more for use of  
14          rifles and shotguns for a period not exceeding sixty  
15          days, upon a showing that the alien has first procured  
16          a hunting license under chapter 183D, part II ~~[, The~~  
17          ~~chief of police of each county may issue permits to~~  
18          ~~aliens]~~; and

19      (5) Aliens of the age of twenty-one years or more for use  
20          of firearms for a period not exceeding six months,  
21          upon a showing that the alien is in training for a





S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 specific organized sport-shooting contest to be held  
2 within the permit period.

3 The attorney general ~~[shall]~~ may adopt rules, pursuant to  
4 chapter 91, as to what constitutes sufficient evidence that an  
5 alien is in training for a sport-shooting contest.

6 Notwithstanding any law to the contrary and upon joint  
7 application, the chief of police may, upon request, issue  
8 permits to acquire firearms jointly to spouses who otherwise  
9 qualify to obtain permits under this section.

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



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 pistol or revolver shall be void unless used within ~~[ten]~~ thirty  
2 days after the date of issue. Permits to acquire a pistol or  
3 revolver shall require a separate application and permit for  
4 each transaction. Permits issued to acquire any rifle or  
5 shotgun shall entitle the permittee to make subsequent purchases  
6 of rifles or shotguns for a period of one year from the date of  
7 issue without a separate application and permit for each  
8 acquisition, subject to the disqualifications under section 134-  
9 7 and ~~[subject to]~~ revocation under section 134-13; provided  
10 that if a permittee is arrested for committing a felony ~~[or~~  
11 any], a crime of violence, a criminal offense relating to  
12 firearms, or for the illegal sale or distribution of any drug,  
13 the permit shall be impounded and ~~[shall be]~~ surrendered to the  
14 issuing authority. The issuing authority shall perform an  
15 inquiry on an applicant by using the International Justice and  
16 Public Safety Network, including the United States Immigration  
17 and Customs Enforcement query, ~~[the]~~ National Crime Information  
18 Center, and ~~[the]~~ National Instant Criminal Background Check  
19 System, pursuant to section 846-2.7 before any determination to  
20 issue a permit or to deny an application is made. The issuing  
21 authority shall not issue a permit to acquire the ownership of a



firearm if an applicant is disqualified under section 134-7 from the ownership, possession, or control of a firearm, or if the issuing authority determines that issuance would not be in the interest of public health, safety, or welfare because the person lacks the essential character or temperament necessary to be entrusted with a firearm. In determining whether a person lacks the essential character or temperament necessary to be entrusted with a firearm, the issuing authority shall consider whether the person poses a danger of causing a self-inflicted bodily injury or unlawful injury to another person, as evidenced by:

(1) Information from a health care provider indicating that the person has had suicidal or homicidal thoughts or tendencies within the preceding five years;

(2) Statements or actions by the person indicating any dangerous propensity or violent animus toward one or more individuals or groups, including groups based on race, color, national origin, ancestry, sex, gender identity, gender expression, sexual orientation, age, disability, religion, or any other characteristic, and the propensity or animus is of a nature or to an extent that would objectively indicate to a reasonable



1           observer that it would not be in the interest of the  
2           public health, safety, or welfare for the person to  
3           own, possess, or control a firearm or ammunition; or  
4           (3) Other information that would lead a reasonable,  
5           objective observer to conclude that the person  
6           presents or would present a danger to the community as  
7           a result of acquiring or possessing a firearm or  
8           intends or is likely to use a firearm for an unlawful  
9           purpose or in an unlawful manner.

10           (f) In all cases where a pistol or revolver is acquired  
11 from another person within the State, the permit shall be signed  
12 in ink by the person to whom title to the pistol or revolver is  
13 transferred and shall be delivered to the person who is  
14 transferring title to the firearm, who shall verify that the  
15 person to whom the firearm is to be transferred is the person  
16 named in the permit and enter on the permit in the space  
17 provided the following information: name, address, and  
18 telephone number of the person who transferred the firearm;  
19 name, address, and telephone number of the person to whom the  
20 title to the firearm was transferred; names of the manufacturer  
21 and importer; model; type of action; caliber or gauge; and



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 serial number, as applicable. The person who is transferring  
2 title to the firearm shall sign the permit in ink and cause the  
3 permit to be delivered or sent by registered mail to the issuing  
4 authority within forty-eight hours after transferring the  
5 firearm.

6 In all cases where receipt of a firearm is had by mail,  
7 express, freight, or otherwise from sources ~~[without]~~ outside  
8 the State, the person to whom the permit has been issued shall  
9 make the prescribed entries on the permit, sign the permit in  
10 ink, and cause the permit to be delivered or sent by registered  
11 mail to the issuing authority within forty-eight hours after  
12 taking possession of the firearm.

13 In all cases where a rifle or shotgun is acquired from  
14 another person within the State, the person who is transferring  
15 title to the rifle or shotgun shall submit, within forty-eight  
16 hours after transferring the firearm, to the authority that  
17 issued the permit to acquire, the following information, in  
18 writing: name, address, and telephone number of the person who  
19 transferred the firearm<sub>[7]</sub>; name, address, and telephone number  
20 of the person to whom the title to the firearm was transferred;



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 names of the manufacturer and importer; model; type of action;  
2 caliber or gauge; and serial number, as applicable.

3 (g) ~~[Effective July 1, 1995, no]~~ No person shall be issued  
4 a permit under this section for the acquisition of a ~~[pistol or~~  
5 ~~revolver]~~ firearm unless the person, ~~[at any time prior to]~~  
6 within the four years before the issuance of the permit, has  
7 completed:

8 (1) An approved hunter education course as authorized  
9 under section 183D-28~~[7]~~, unless the applicant seeks  
10 to acquire a pistol or revolver, in which case the  
11 applicant shall complete a training satisfying the  
12 requirements of paragraph (2), (3), or (4);

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

16 (3) A firearms safety or training course offered to law  
17 enforcement officers, security guards, investigators,  
18 deputy sheriffs, or any division or subdivision of law  
19 enforcement or security enforcement by a state or  
20 county law enforcement agency; or



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 (4) A firearms training or safety course or class  
2 conducted by a ~~[state-certified or National Rifle~~  
3 ~~Association-certified firearms instructor]~~ firearms  
4 instructor certified or verified by the chief of  
5 police of the respective county or a designee of the  
6 chief of police or certified by a nongovernmental  
7 organization approved for such purposes by the chief  
8 of police of the respective county or a designee of  
9 the chief of police, or conducted by a certified  
10 military firearms instructor; provided that the  
11 firearms training or safety course or class provides,  
12 at a minimum, a total of at least two hours of firing  
13 training at a firing range and a total of at least  
14 four hours of classroom instruction, which may include  
15 a video, that focuses on:

16 (A) The safe use, handling, and storage of firearms  
17 and firearm safety in the home~~[+]~~, as well as a  
18 component on mental health, suicide prevention,  
19 and domestic violence issues associated with  
20 firearms and firearm violence; and

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



1           An affidavit signed by the certified or verified  
2           firearms instructor who conducted or taught the  
3           course, providing the name, address, and phone number  
4           of the instructor and attesting to the successful  
5           completion of the course by the applicant shall  
6           constitute evidence of certified successful completion  
7           under this paragraph[-]; provided that an instructor  
8           shall not submit an affidavit signed by the instructor  
9           for the instructor's own permit application.

10           (h) No person shall sell, give, lend, or deliver into the  
11           possession of another any firearm except in accordance with this  
12           chapter.

13           (i) No fee shall be charged for permits, or applications  
14           for permits, under this section, except for a single fee  
15           chargeable by and payable to the issuing county[, ~~for~~  
16           ~~individuals applying for their first permit,~~] in an amount equal  
17           to the fee charged by the Hawaii criminal justice data center  
18           pursuant to section 846-2.7. In the case of a joint  
19           application, the fee provided for in this section may be charged  
20           to each person [~~to whom no previous permit has been issued~~]. If  
21           an application under this section is denied, the chief of police





S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 or a designee of the chief of police shall notify the applicant  
2 of the denial in writing, stating the ground or grounds for the  
3 denial and informing the applicant of the right to seek review  
4 of the denial through a hearing pursuant to subsection (k).

5 (j) In all cases where a permit application under this  
6 section is denied because an applicant is prohibited from  
7 owning, possessing, receiving, or controlling firearms under  
8 federal or state law, the chief of police of the applicable  
9 county shall, within ten business days from the date of denial,  
10 send written notice of the denial, including the identity of the  
11 applicant and the reasons for the denial, to the:

- 12 (1) Prosecuting attorney in the county where the permit  
13 was denied;  
14 (2) Attorney general;  
15 (3) United States Attorney for the District of Hawaii; and  
16 (4) Director of public safety.

17 If the permit to acquire was denied because the applicant  
18 is subject to an order described in section 134-7(f), the chief  
19 of police shall, within three business days from the date of  
20 denial, send written notice of the denial to the court that  
21 issued the order.



1       When the director of public safety receives notice that an  
2       applicant has been denied a permit because of a prior criminal  
3       conviction, the director of public safety shall determine  
4       whether the applicant is currently serving a term of probation  
5       or parole, and if the applicant is serving such a term, send  
6       written notice of the denial to the applicant's probation or  
7       parole officer.

8       (k) If an application under this section is denied, a  
9       person or entity aggrieved by the denial shall be entitled to a  
10      hearing before the chief of police of the appropriate county or  
11      a designee of the chief of police. A person or entity aggrieved  
12      by the denial shall submit a request for a hearing in writing to  
13      the chief of police of the appropriate county no later than  
14      thirty days following the date of the decision or determination  
15      notice. The hearing shall constitute a contested case hearing  
16      for purposes of chapter 91. Following the hearing and final  
17      decision, an aggrieved party shall be entitled to a judicial  
18      review proceeding in state circuit court in accordance with  
19      section 91-14.



1       (1) The permit application form and the waiver form  
2       required under this section shall be prescribed by the issuing  
3       authority."

4       SECTION 5. Section 134-4, Hawaii Revised Statutes, is  
5       amended by amending subsection (d) to read as follows:

6       "(d) No person shall intentionally, knowingly, or  
7       recklessly lend a firearm to any person who is prohibited from  
8       ownership ~~[or]~~, possession, or control of a firearm under  
9       section 134-7."

10       SECTION 6. Section 134-7, Hawaii Revised Statutes, is  
11       amended to read as follows:

12       "**§134-7 Ownership ~~[or]~~, possession, or control prohibited,**  
13       **when; penalty.** (a) No person who is a fugitive from justice or  
14       ~~[is a person]~~ prohibited from possessing ~~[firearms]~~ a firearm or  
15       ammunition under title 18 United States Code section 922 or any  
16       other provision of federal law shall own, possess, or control  
17       any firearm or ammunition ~~[therefor]~~.

18       (b) No person who ~~[is under indictment for, or has waived~~  
19       ~~indictment for, or has been bound over to the circuit court~~  
20       ~~for,]~~ is being prosecuted for one or more charges for a felony,  
21       a crime of violence, a criminal offense relating to firearms, or



1 an illegal sale or distribution of any drug in a court in this  
2 State or elsewhere, or who has been convicted in this State or  
3 elsewhere of having committed a felony, ~~[or any]~~ a crime of  
4 violence, a criminal offense relating to firearms, or an illegal  
5 sale or distribution of any drug shall own, possess, or control  
6 any firearm or ammunition [therefor].

7 (c) No person ~~[who]~~ shall own, possess, or control any  
8 firearm or ammunition if the person:

9 (1) Is or has been under treatment or counseling for  
10 addiction to, abuse of, or dependence upon any  
11 dangerous, harmful, or detrimental drug, intoxicating  
12 compound as defined in section 712-1240, or  
13 intoxicating liquor;

14 (2) Has been acquitted of a crime on the grounds of mental  
15 disease, disorder, or defect pursuant to section 704-  
16 411[+] or any similar provision under federal law, or  
17 the law of another state, a United States territory,  
18 or the District of Columbia;

19 (3) Is or has been diagnosed ~~[as having a significant~~  
20 ~~behavioral, emotional, or mental disorders as defined~~  
21 ~~by the most current diagnostic manual of the American~~



1 ~~Psychiatric Association or for treatment for organic~~  
2 ~~brain syndromes,]~~ with or treated for a medical,  
3 behavioral, psychological, emotional, or mental  
4 condition or disorder that causes or is likely to  
5 cause impairment in judgment, perception, or impulse  
6 control to an extent that presents an unreasonable  
7 risk to public health, safety, or welfare if the  
8 person were in possession or control of a firearm; or

9 (4) Has been adjudged to:

10 (A) Meet the criteria for involuntary hospitalization  
11 under section 334-60.2; or

12 (B) Be an "incapacitated person", as defined in  
13 section 560:5-102,

14 ~~[shall own, possess, or control any firearm or ammunition~~  
15 ~~therefor,]~~ unless the person ~~[has been medically documented to~~  
16 ~~be]~~ establishes, with appropriate medical documentation, that  
17 the person is no longer adversely affected by [the addiction,  
18 abuse, dependence, mental disease, disorder, or defect.] the  
19 criteria or statuses identified in this subsection.

20 (d) No person who is less than twenty-five years old and  
21 has been adjudicated by the family court to have committed a



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 felony, [~~two or more crimes~~] a crime of violence, a criminal  
2 offense relating to firearms, or an illegal sale or distribution  
3 of any drug shall own, possess, or control any firearm or  
4 ammunition [~~therefor~~].

5 (e) No minor [~~who~~] shall own, possess, or control any  
6 firearm or ammunition if the minor:

7 (1) Is or has been under treatment for addiction to any  
8 dangerous, harmful, or detrimental drug, intoxicating  
9 compound as defined in section 712-1240, or  
10 intoxicating liquor;

11 (2) Is a fugitive from justice; or

12 (3) Has been determined not to have been responsible for a  
13 criminal act or has been committed to any institution  
14 on account of a mental disease, disorder, or  
15 defect [~~+~~],

16 [~~shall own, possess, or control any firearm or ammunition~~  
17 ~~therefor,~~] unless the minor [~~has been medically documented to~~  
18 ~~be~~] establishes, with appropriate medical documentation, that  
19 the minor is no longer adversely affected by the addiction,  
20 mental disease, disorder, or defect.



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 For the purposes of enforcing this section, and  
2 notwithstanding section 571-84 or any other law to the contrary,  
3 any agency within the State shall make its records relating to  
4 family court adjudications available to law enforcement  
5 officials.

6 (f) No person who has been restrained pursuant to an order  
7 of any court, including a gun violence protective order issued  
8 pursuant to part IV, from contacting, threatening, or physically  
9 abusing any person, shall possess, control, or transfer  
10 ownership of any firearm or ammunition [~~therefor~~], so long as  
11 the protective order, restraining order, or any extension is in  
12 effect [~~, unless the order, for good cause shown, specifically~~  
13 ~~permits the possession of a firearm and ammunition~~]. The  
14 protective order or restraining order shall specifically include  
15 a statement that possession, control, or transfer of ownership  
16 of a firearm or ammunition by the person named in the order is  
17 prohibited. The person shall relinquish possession and control  
18 of any firearm and ammunition owned by that person to the police  
19 department of the appropriate county for safekeeping for the  
20 duration of the order or extension thereof. At the time of  
21 service of a protective order or restraining order involving



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 firearms and ammunition issued by any court, a police officer  
2 may take custody of any and all firearms and ammunition in plain  
3 sight, those discovered pursuant to a consensual search, and  
4 those firearms surrendered by the person restrained. If the  
5 person restrained is the registered owner of a firearm and knows  
6 the location of the firearm, but refuses to surrender the  
7 firearm or ~~[refuses to]~~ disclose the location of the firearm,  
8 the person restrained shall be guilty of a misdemeanor. In any  
9 case, when a police officer is unable to locate the firearms and  
10 ammunition either registered under this chapter or known to the  
11 person granted protection by the court, the police officer shall  
12 apply to the court for a search warrant pursuant to chapter 803  
13 for the limited purpose of seizing the firearm and ammunition.

14 ~~[For the purposes of this subsection, good cause shall not~~  
15 ~~be based solely upon the consideration that the person subject~~  
16 ~~to restraint pursuant to an order of any court is required to~~  
17 ~~possess or carry firearms or ammunition during the course of the~~  
18 ~~person's employment. Good cause consideration may include but~~  
19 ~~not be limited to the protection and safety of the person to~~  
20 ~~whom a restraining order is granted.]~~





(g) Any person disqualified from ownership, possession, control, or the right to transfer ownership of firearms and ammunition under this section shall surrender or dispose of all firearms and ammunition in compliance with section 134-7.3.

(h) Any person who otherwise would be prohibited under subsection (b) from owning, possessing, or controlling a firearm and ammunition solely as a result of a conviction for a crime that is not a felony, and who is not prohibited from owning, possessing, or controlling a firearm or ammunition for any reason under any other provision of this chapter or under title 18 United States Code section 922 or another provision of federal law, shall not be prohibited under this section from owning, possessing, or controlling a firearm and ammunition if twenty years have elapsed from the date of the conviction.

~~[(h)]~~ (i) Any person violating subsection (a) or (b) shall be guilty of a class C felony; provided that any felon violating subsection (b) shall be guilty of a class B felony. Any person violating subsection (c), (d), (e), (f), or (g) shall be guilty of a misdemeanor."

SECTION 7. Section 134-9, Hawaii Revised Statutes, is amended to read as follows:



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

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]~~ The chief of police of [the  
4   ~~appropriate]~~ a county [~~may]~~ shall grant a license to an  
5   applicant [~~who is a citizen of the United States of the age of~~  
6   ~~twenty one years or more or to a duly accredited official~~  
7   ~~representative of a foreign nation of the age of twenty one~~  
8   ~~years or more]~~ to carry a pistol or revolver and ammunition  
9   [~~therefor]~~ concealed on the licensee's person within [~~the county~~  
10   ~~where the license is granted. Where the urgency or the need has~~  
11   ~~been sufficiently indicated, the respective]~~ the State, if the  
12   applicant:

13       (1) Satisfies each of the criteria established by or  
14       pursuant to subsection (d);

15       (2) Is not prohibited under section 134-7 from the  
16       ownership, possession, or control of a firearm and  
17       ammunition;

18       (3) Is not found to be lacking the essential character or  
19       temperament necessary to be entrusted with a firearm  
20       as set forth in subsection (h);



1       (4) Is a citizen, national, or lawful permanent resident  
2           of the United States or a duly accredited official  
3           representative of a foreign nation;

4       (5) Is a resident of the State; and

5       (6) Is of the age of twenty-one years or more.

6       (b) The chief of police of a county may grant to an  
7 applicant ~~[of good moral character who is a citizen of the~~  
8 ~~United States of the age of twenty one years or more, is engaged~~  
9 ~~in the protection of life and property, and is not prohibited~~  
10 ~~under section 134-7 from the ownership or possession of a~~  
11 ~~firearm,]~~ a license to carry a pistol or revolver and ammunition  
12 ~~[therefor]~~ unconcealed on the licensee's person within the  
13 county where the license is granted~~[-]~~, if the applicant:

14       (1) Sufficiently establishes the urgency or need to carry  
15           a firearm unconcealed;

16       (2) Is engaged in the protection of life and property;

17       (3) Satisfies each of the criteria established by or  
18           pursuant to subsection (d);

19       (4) Is not prohibited under section 134-7 from the  
20           ownership, possession, or control of a firearm and  
21           ammunition;



1       (5) Is not found to be lacking the essential character or  
2       temperament necessary to be entrusted with a firearm  
3       as set forth in subsection (h);

4       (6) Is a citizen, national, or lawful permanent resident  
5       of the United States; and

6       (7) Is of the age of twenty-one years or more.

7       (c) The chief of police of the appropriate county, or [the  
8 ~~chief's]~~ a designated representative[7] of the chief of police,  
9 shall perform an inquiry on an applicant by using the National  
10 Instant Criminal Background Check System, to include a check of  
11 the Immigration and Customs Enforcement databases ~~[where]~~ if the  
12 applicant is not a citizen of the United States, before any  
13 determination to grant a concealed or unconcealed license is  
14 made. ~~[Unless renewed, the license shall expire one year from~~  
15 ~~the date of issue.]~~

16       ~~(b) The chief of police of each county shall adopt~~  
17 ~~procedures to require that any person granted a license to carry~~  
18 ~~a concealed weapon on the person shall:]~~

19       (d) To be eligible to receive a license to carry a  
20 concealed or unconcealed pistol or revolver on the licensee's  
21 person, the applicant shall:



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

(1) ~~[Be qualified to use the firearm in a safe manner;]~~

Submit the appropriate carry license application, in person, to the chief of police of the appropriate county, with:

(A) All fields on the application form completed and all questions answered truthfully, under penalty of law;

(B) All required signatures present on the application;

(C) Any required documents attached to the application; and

(D) Payment of the nonrefundable license application fee required under this section;

(2) ~~[Appear to be a suitable person to be so licensed;]~~ Be the registered owner of the firearm or firearms for which the license to carry will be issued; provided that this paragraph shall not apply to detectives, private detectives, investigators, and guards with an active license issued pursuant to chapter 463;



- 1 (3) Not be prohibited under section 134-7 from the  
2 ownership ~~[or]~~, possession, or control of a firearm;  
3 [and]
- 4 (4) ~~[Not have been adjudged insane or not appear to be~~  
5 ~~mentally deranged.]~~ Have completed a course of  
6 training as described in subsection (e) and be  
7 certified as qualified to use the firearm or firearms  
8 for which the license to carry will be issued in a  
9 safe manner; and
- 10 (5) Sign an affidavit expressly acknowledging that:
- 11 (A) The applicant has read and is responsible for  
12 understanding and complying with the federal,  
13 state, and county laws governing the permissible  
14 use of firearms and associated requirements,  
15 including:
- 16 (i) The prohibition on carrying or possessing a  
17 firearm in certain locations and premises;
- 18 (ii) The prohibition on carrying more than one  
19 firearm on the licensee's person at one  
20 time;



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1           (iii) The prohibition on carrying a firearm on  
2                   private property of another person without  
3                   the express authorization of the owner,  
4                   lessee, operator, or manager of the private  
5                   property;

6           (iv) The requirement to maintain possession of  
7                   the license on the licensee's person while  
8                   carrying a firearm;

9           (v) The requirement to disclose information  
10                  regarding the carrying of a firearm when  
11                  stopped by law enforcement;

12           (vi) The provision for absolute liability for  
13                  injury or property damage proximately caused  
14                  by a legally unjustified discharge of a  
15                  firearm under section 663-9.5; and

16           (vii) Laws regarding the use of deadly force for  
17                  self-defense or the defense of another;

18           (B) A license to carry issued under this section  
19                  shall be void if a licensee becomes disqualified  
20                  from the ownership, possession, or control of a



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 firearm pursuant to section 134-7(a), (b), (d),  
2 or (f);

3 (C) The license shall be subject to revocation under  
4 section 134-13 if a licensee for any other reason  
5 becomes disqualified under section 134-7 from the  
6 ownership, possession, or control of a firearm;  
7 and

8 (D) A license that is revoked or that becomes void  
9 shall be returned to the chief of police of the  
10 appropriate county within forty-eight hours after  
11 the license is revoked or becomes void.

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

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

19 (e) The course of training for issuance of a license under  
20 this section may be any course acceptable to the licensing  
21 authority that meets all of the following criteria:





S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

- 1        (1) The course shall include in-person instruction on  
2        firearm safety; firearm handling; shooting technique;  
3        safe storage; legal methods to transport firearms and  
4        secure firearms in vehicles; laws governing places in  
5        which persons are prohibited from carrying a firearm;  
6        firearm usage in low-light situations; situational  
7        awareness and conflict management; and laws governing  
8        firearms, including information regarding the  
9        circumstances in which deadly force may be used for  
10       self-defense or the defense of another;
- 11       (2) The course shall include a component on mental health  
12       and mental health resources;
- 13       (3) Except for the component on mental health and mental  
14       health resources, the course shall be conducted by one  
15       or more firearms instructors certified or verified by  
16       the chief of police of the respective county or a  
17       designee of the chief of police or certified by a  
18       nongovernmental organization approved for those  
19       purposes by the chief of police of the respective  
20       county or a designee of the chief of police, or



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 conducted by one or more certified military firearms  
2 instructors;

3 (4) The course shall require participants to demonstrate  
4 their understanding of the covered topics by achieving  
5 a score of at least seventy per cent on a written  
6 examination; and

7 (5) The course shall include live-fire shooting exercises  
8 on a firing range and shall include a demonstration by  
9 the applicant of safe handling of, and shooting  
10 proficiency with, each firearm that the applicant is  
11 applying to be licensed to carry.

12 (f) Upon passing the course of training identified in  
13 subsection (e), the applicant shall obtain from the instructor,  
14 and include as part of the applicant's application package, a  
15 certification as to the following:

16 (1) The applicant's name, as confirmed by reviewing the  
17 applicant's government-issued photo identification;

18 (2) The date and location of the firearm proficiency test;

19 (3) The firearm or firearms that the applicant used in the  
20 firearm proficiency test;



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1       (4) The applicant's score; provided that an indication  
2           that the applicant passed or failed, without the score  
3           itself, shall be insufficient information for the  
4           purposes of the application; and

5       (5) The instructor's qualifications to administer the  
6           firearm proficiency test.

7       The certification of the above information, signed by the  
8       firearms instructor who conducted or taught the course,  
9       providing the name, address, and phone number of the instructor,  
10       shall constitute evidence of successful completion of the  
11       course; provided that the instructor shall not submit a  
12       certification signed by the instructor for the instructor's own  
13       license application. The course of training for issuance of a  
14       license under this section shall be undertaken at the licensee's  
15       expense.

16       (g) An applicant for a license under this section shall:

17       (1) Sign a waiver at the time of application, allowing the  
18           chief of police of the county issuing the license or a  
19           designee of the chief of police access to any records  
20           that have a bearing on the mental health of the  
21           applicant; and



1       (2) Identify any health care providers who possess or may  
2       possess the records described in paragraph (1).

3       (h) In determining whether a person lacks the essential  
4       character or temperament necessary to be entrusted with a  
5       firearm, the licensing authority shall consider whether the  
6       person poses a danger of causing a self-inflicted bodily injury  
7       or unlawful injury to another person, as evidenced by:

8       (1) Information from a health care provider indicating  
9       that the person has had suicidal or homicidal thoughts  
10       or tendencies within the preceding five years;

11       (2) Statements or actions by the person indicating any  
12       dangerous propensity or violent animus toward one or  
13       more individuals or groups, including groups based on  
14       race, color, national origin, ancestry, sex, gender  
15       identity, gender expression, sexual orientation, age,  
16       disability, religion, or any other characteristic, and  
17       the propensity or animus is of a nature or to an  
18       extent that would objectively indicate to a reasonable  
19       observer that it would not be in the interest of the  
20       public health, safety, or welfare for the person to  
21       own, possess, or control a firearm or ammunition; or



1       (3) Other information that would lead a reasonable,  
2       objective observer to conclude that the person  
3       presents or would present a danger to the community as  
4       a result of carrying a firearm in public or intends or  
5       is likely to use a firearm for an unlawful purpose or  
6       in an unlawful manner.

7       (i) A nonrefundable fee of \$150 shall be charged for each  
8       license application submitted under this section. The fee shall  
9       be chargeable by and payable to the appropriate county and shall  
10      be used for expenses related to police services. The issuing  
11      authority shall waive the fee required by this subsection upon a  
12      showing of financial hardship by the applicant.

13      (j) If the applicant satisfies each of the requirements  
14      for a concealed carry license, an application for a concealed  
15      carry license submitted to the chief of police of the  
16      appropriate county under this section shall be approved within a  
17      reasonable time after receipt of all required application  
18      materials. If the applicant does not satisfy one or more of the  
19      requirements for a concealed carry license, the license shall be  
20      denied within a reasonable time after receipt of the application  
21      materials. If an application is denied, the chief of police or



1 a designee of the chief of police shall notify the applicant of  
2 the denial in writing, stating the ground or grounds for the  
3 denial and informing the applicant of the right to seek review  
4 of the denial through a hearing pursuant to subsection (k). If  
5 the chief of police does not grant or deny a submitted  
6 application for a concealed carry license within one hundred  
7 twenty days following the date of the application, the  
8 application shall be deemed denied as of that date for purposes  
9 of subsection (k).

10 (k) If an application under this section is denied, a  
11 person or entity aggrieved by the denial shall be entitled to a  
12 hearing before the chief of police of the appropriate county or  
13 a designee of the chief of police. A person or entity aggrieved  
14 by the denial shall submit a request for a hearing in writing to  
15 the chief of police of the appropriate county no later than  
16 thirty days following the date of the decision or determination  
17 notice. The hearing shall constitute a contested case hearing  
18 for purposes of chapter 91. Following the hearing and final  
19 decision, an aggrieved party shall be entitled to a judicial  
20 review proceeding in state circuit court in accordance with  
21 section 91-14.



1        (1) If an application pursuant to this section is  
2        approved, the chief of police shall issue the applicant a  
3        license that contains, at minimum:

4        (1) The licensee's name;

5        (2) The licensee's address;

6        (3) A photograph of the licensee taken within ninety days  
7        before issuance of the license;

8        (4) The county of issuance;

9        (5) A notation as to whether the license permits concealed  
10       or unconcealed carry;

11       (6) The serial number of each registered firearm that the  
12       licensee may carry pursuant to the license; and

13       (7) The license expiration date.

14       The license issued under this subsection shall not constitute a  
15       government-issued photo identification document under federal or  
16       state law.

17       (m) Unless renewed, a concealed or unconcealed license  
18       shall expire four years from the date of issue.

19       (n) A license to carry issued under this section shall be  
20       void if a licensee becomes disqualified from the ownership,  
21       possession, or control of a firearm pursuant to section 134-



1 7(a), (b), (d), or (f). If a licensee for any other reason  
2 becomes disqualified under section 134-7 from the ownership,  
3 possession, or control of a firearm, the license shall be  
4 subject to revocation under section 134-13. A license that is  
5 void or revoked shall be returned to the chief of police of the  
6 appropriate county within forty-eight hours after the license  
7 becomes void or is revoked.

8 (o) The chief of police of each county shall adopt  
9 procedures to implement this section.

10 (p) The chief of police of each county shall establish  
11 procedures and criteria for the renewal of licenses issued under  
12 this section. No license renewal shall be granted if an  
13 applicant for a renewed license does not satisfy, or no longer  
14 satisfies, the eligibility criteria for a new license set forth  
15 in subsections (a) through (d). As a precondition for the  
16 renewal of licenses issued under this section, the chief of  
17 police of each county may establish reasonable continuing  
18 education, training, and certification requirements, including  
19 requirements pertaining to the safe handling of firearms and  
20 shooting proficiency. A nonrefundable fee of \$50 shall be  
21 charged for each license renewal application submitted under





S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 this section. The fee shall be chargeable by and payable to the  
2 appropriate county and shall be used for expenses related to  
3 police services. The issuing authority shall waive the fee  
4 required by this subsection upon a showing of financial hardship  
5 by the applicant.

6 (q) No person carrying a firearm pursuant to a license  
7 issued under this section shall intentionally, knowingly, or  
8 recklessly carry more than one firearm on the licensee's person  
9 at one time.

10 (r) A license issued by the chief of police of a county  
11 within the State under subsection (a) to carry a pistol or  
12 revolver and ammunition concealed on the licensee's person shall  
13 be valid for use in each county within the State."

14 SECTION 8. Section 134-13, Hawaii Revised Statutes, is  
15 amended to read as follows:

16 "§134-13 Revocation of permits~~[-]~~ and licenses. (a) All  
17 permits and licenses provided for under this part ~~[may]~~ shall be  
18 ~~revoked~~[-]~~ for good cause~~[-]~~~~ by the issuing authority ~~[or]~~, and  
19 may be revoked by [the judge of] any court~~[-]~~, if the issuing  
20 authority or court determines that the permit or license is  
21 subject to revocation because the permit or license holder does



1 not satisfy, or no longer satisfies, the applicable  
2 qualifications or requirements associated with the permit or  
3 license.

4 (b) If the issuing authority determines that a permit or  
5 license is subject to revocation, the issuing authority shall  
6 notify the permit or license holder of the determination in  
7 writing, stating the grounds for the determination and informing  
8 the permit or license holder of the right to seek a hearing  
9 before the issuing authority regarding the determination before  
10 revocation. Unless the permit or license holder submits a  
11 request for a hearing in writing to the issuing authority no  
12 later than thirty days following the date of the written notice  
13 that the permit or license is subject to revocation, the permit  
14 or license shall be immediately revoked by the issuing  
15 authority. Any hearing regarding a determination on whether a  
16 permit or license is subject to revocation shall constitute a  
17 contested case hearing for purposes of chapter 91. A person or  
18 entity aggrieved by a revocation under this section may apply  
19 for judicial review in state circuit court in accordance with  
20 section 91-14.



1        (c) If a permit or license is revoked pursuant to this  
2        section, the former permit or license holder shall return the  
3        permit or license to the issuing authority within forty-eight  
4        hours following receipt of the notice of revocation."

5        SECTION 9. Section 134-17, Hawaii Revised Statutes, is  
6        amended to read as follows:

7        "**§134-17 Penalties.** (a) If any person [~~gives false~~  
8        ~~information or offers false evidence of the person's identity in~~  
9        ~~complying with any of the requirements of this part, that person~~  
10       ~~shall be guilty of a misdemeanor, provided, however that if any~~  
11       ~~person intentionally gives false information or offers false~~  
12       ~~evidence concerning their]~~ intentionally, knowingly, or  
13       recklessly makes any materially false, fictitious, or fraudulent  
14       statement or representation in connection with any of the  
15       requirements of this part, that person shall be guilty of a  
16       misdemeanor; provided that if any person intentionally,  
17       knowingly, or recklessly makes any materially false, fictitious,  
18       or fraudulent statement or representation regarding the person's  
19       psychiatric or criminal history in [complying] connection with  
20       any of the requirements of this part, that person shall be  
21       guilty of a class C felony.



1       ~~[(b) Any person who violates section 134-3(a) shall be~~  
2       ~~guilty of a petty misdemeanor.~~

3       ~~(e)]~~ (b) Any person who violates [section]:

4       (1) Section 134-2, 134-4, 134-10, [ex] 134-13(c), or 134-  
5       15 shall be guilty of a misdemeanor~~[- Any person who~~  
6       ~~violates section];~~

7       (2) Section 134-3(a) or 134-9(q) shall be guilty of a  
8       petty misdemeanor; or

9       (3) Section 134-3(b) shall be guilty of a petty  
10       misdemeanor and the firearm shall be confiscated as  
11       contraband and disposed of, if the firearm is not  
12       registered within five days of the person receiving  
13       notice of the violation."

14       SECTION 10. Section 134-18, Hawaii Revised Statutes, is  
15       amended to read as follows:

16       "§134-18 Qualified immunity for physicians, psychologists,  
17       ~~[ex] psychiatrists, physician assistants, or advanced practice~~  
18       registered nurses who provide information on permit or license  
19       applicants. There shall be no civil liability for any  
20       physician, psychologist, ~~[ex] psychiatrist,~~ physician assistant,  
21       or advanced practice registered nurse who provides information



1 or renders an opinion in response to an inquiry made for  
2 purposes of issuing a firearm permit under section 134-2,  
3 issuing or renewing a license under section 134-9, or [for  
4 purposes of] investigating the continuing mental health of the  
5 holder of a valid firearm permit or license; provided that the  
6 physician, psychologist, [or] psychiatrist, physician assistant,  
7 or advanced practice registered nurse acted without malice."

8 SECTION 11. Section 707-716, Hawaii Revised Statutes, is  
9 amended by amending subsection (2) to read as follows:

10 "(2) Terroristic threatening in the first degree is a  
11 class C felony[-]; provided that terroristic threatening in the  
12 first degree is a class B felony if committed with a firearm as  
13 defined in section 134-1, whether the firearm was loaded or not,  
14 and whether operable or not, or a simulated firearm, while in  
15 one of the locations or premises listed in section 134-A(a)."

16 SECTION 12. Section 846-2.7, Hawaii Revised Statutes, is  
17 amended by amending subsection (b) to read as follows:

18 "(b) Criminal history record checks may be conducted by:

- 19 (1) The department of health or its designee on operators  
20 of adult foster homes for individuals with  
21 developmental disabilities or developmental



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 disabilities domiciliary homes and their employees, as  
2 provided by section 321-15.2;

3 (2) The department of health or its designee on  
4 prospective employees, persons seeking to serve as  
5 providers, or subcontractors in positions that place  
6 them in direct contact with clients when providing  
7 non-witnessed direct mental health or health care  
8 services as provided by section 321-171.5;

9 (3) The department of health or its designee on all  
10 applicants for licensure or certification for,  
11 operators for, prospective employees, adult  
12 volunteers, and all adults, except adults in care, at  
13 healthcare facilities as defined in section 321-15.2;

14 (4) The department of education on employees, prospective  
15 employees, and teacher trainees in any public school  
16 in positions that necessitate close proximity to  
17 children as provided by section 302A-601.5;

18 (5) The counties on employees and prospective employees  
19 who may be in positions that place them in close  
20 proximity to children in recreation or child care  
21 programs and services;



(6) The county liquor commissions on applicants for liquor licenses as provided by section 281-53.5;

(7) The county liquor commissions on employees and prospective employees involved in liquor administration, law enforcement, and liquor control investigations;

(8) The department of human services on operators and employees of child caring institutions, child placing organizations, and foster boarding homes as provided by section 346-17;

(9) The department of human services on prospective adoptive parents as established under section 346-19.7;

(10) The department of human services or its designee on applicants to operate child care facilities, household members of the applicant, prospective employees of the applicant, and new employees and household members of the provider after registration or licensure as provided by section 346-154, and persons subject to section 346-152.5;



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

- 1 (11) The department of human services on persons exempt  
2 pursuant to section 346-152 to be eligible to provide  
3 child care and receive child care subsidies as  
4 provided by section 346-152.5;
- 5 (12) The department of health on operators and employees of  
6 home and community-based case management agencies and  
7 operators and other adults, except for adults in care,  
8 residing in community care foster family homes as  
9 provided by section 321-15.2;
- 10 (13) The department of human services on staff members of  
11 the Hawaii youth correctional facility as provided by  
12 section 352-5.5;
- 13 (14) The department of human services on employees,  
14 prospective employees, and volunteers of contracted  
15 providers and subcontractors in positions that place  
16 them in close proximity to youth when providing  
17 services on behalf of the office or the Hawaii youth  
18 correctional facility as provided by section 352D-4.3;
- 19 (15) The judiciary on employees and applicants at detention  
20 and shelter facilities as provided by section 571-34;





S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 (16) The department of public safety on employees and  
2 prospective employees who are directly involved with  
3 the treatment and care of persons committed to a  
4 correctional facility or who possess police powers  
5 including the power of arrest as provided by section  
6 353C-5;

7 (17) The board of private detectives and guards on  
8 applicants for private detective or private guard  
9 licensure as provided by section 463-9;

10 (18) Private schools and designated organizations on  
11 employees and prospective employees who may be in  
12 positions that necessitate close proximity to  
13 children; provided that private schools and designated  
14 organizations receive only indications of the states  
15 from which the national criminal history record  
16 information was provided pursuant to section 302C-1;

17 (19) The public library system on employees and prospective  
18 employees whose positions place them in close  
19 proximity to children as provided by section  
20 302A-601.5;



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 (20) The State or any of its branches, political  
2 subdivisions, or agencies on applicants and employees  
3 holding a position that has the same type of contact  
4 with children, vulnerable adults, or persons committed  
5 to a correctional facility as other public employees  
6 who hold positions that are authorized by law to  
7 require criminal history record checks as a condition  
8 of employment as provided by section 78-2.7;

9 (21) The department of health on licensed adult day care  
10 center operators, employees, new employees,  
11 subcontracted service providers and their employees,  
12 and adult volunteers as provided by section 321-15.2;

13 (22) The department of human services on purchase of  
14 service contracted and subcontracted service providers  
15 and their employees serving clients of the adult  
16 protective and community services branch, as provided  
17 by section 346-97;

18 (23) The department of human services on foster grandparent  
19 program, senior companion program, and respite  
20 companion program participants as provided by section  
21 346-97;



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 (24) The department of human services on contracted and  
2 subcontracted service providers and their current and  
3 prospective employees that provide home and community-  
4 based services under section 1915(c) of the Social  
5 Security Act, title 42 United States Code section  
6 1396n(c), or under any other applicable section or  
7 sections of the Social Security Act for the purposes  
8 of providing home and community-based services, as  
9 provided by section 346-97;

10 (25) The department of commerce and consumer affairs on  
11 proposed directors and executive officers of a bank,  
12 savings bank, savings and loan association, trust  
13 company, and depository financial services loan  
14 company as provided by section 412:3-201;

15 (26) The department of commerce and consumer affairs on  
16 proposed directors and executive officers of a  
17 nondepository financial services loan company as  
18 provided by section 412:3-301;

19 (27) The department of commerce and consumer affairs on the  
20 original chartering applicants and proposed executive



officers of a credit union as provided by section  
412:10-103;

(28) The department of commerce and consumer affairs on:

(A) Each principal of every non-corporate applicant  
for a money transmitter license;

(B) Each person who upon approval of an application  
by a corporate applicant for a money transmitter  
license will be a principal of the licensee; and

(C) Each person who upon approval of an application  
requesting approval of a proposed change in  
control of licensee will be a principal of the  
licensee,

as provided by sections 489D-9 and 489D-15;

(29) The department of commerce and consumer affairs on  
applicants for licensure and persons licensed under  
title 24;

(30) The Hawaii health systems corporation on:

(A) Employees;

(B) Applicants seeking employment;

(C) Current or prospective members of the corporation  
board or regional system board; or



1 (D) Current or prospective volunteers, providers, or  
2 contractors,  
3 in any of the corporation's health facilities as  
4 provided by section 323F-5.5;

5 (31) The department of commerce and consumer affairs on:

6 (A) An applicant for a mortgage loan originator  
7 license, or license renewal; and

8 (B) Each control person, executive officer, director,  
9 general partner, and managing member of an  
10 applicant for a mortgage loan originator company  
11 license or license renewal,

12 as provided by chapter 454F;

13 (32) The state public charter school commission or public  
14 charter schools on employees, teacher trainees,  
15 prospective employees, and prospective teacher  
16 trainees in any public charter school for any position  
17 that places them in close proximity to children, as  
18 provided in section 302D-33;

19 (33) The counties on prospective employees who work with  
20 children, vulnerable adults, or senior citizens in  
21 community-based programs;



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

- 1       (34)   The counties on prospective employees for fire  
2           department positions that involve contact with  
3           children or vulnerable adults;
- 4       (35)   The counties on prospective employees for emergency  
5           medical services positions that involve contact with  
6           children or vulnerable adults;
- 7       (36)   The counties on prospective employees for emergency  
8           management positions and community volunteers whose  
9           responsibilities involve planning and executing  
10          homeland security measures including viewing,  
11          handling, and engaging in law enforcement or  
12          classified meetings and assisting vulnerable citizens  
13          during emergencies or crises;
- 14      (37)   The State and counties on employees, prospective  
15          employees, volunteers, and contractors whose position  
16          responsibilities require unescorted access to secured  
17          areas and equipment related to a traffic management  
18          center;
- 19      (38)   The State and counties on employees and prospective  
20          employees whose positions involve the handling or use  
21          of firearms for other than law enforcement purposes;



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 (39) The State and counties on current and prospective  
2 systems analysts and others involved in an agency's  
3 information technology operation whose position  
4 responsibilities provide them with access to  
5 proprietary, confidential, or sensitive information;

6 (40) The department of commerce and consumer affairs on:

7 (A) Applicants for real estate appraiser licensure or  
8 certification as provided by chapter 466K;

9 (B) Each person who owns more than ten per cent of an  
10 appraisal management company who is applying for  
11 registration as an appraisal management company,  
12 as provided by section 466L-7; and

13 (C) Each of the controlling persons of an applicant  
14 for registration as an appraisal management  
15 company, as provided by section 466L-7;

16 (41) The department of health or its designee on all  
17 license applicants, licensees, employees, contractors,  
18 and prospective employees of medical cannabis  
19 dispensaries, and individuals permitted to enter and  
20 remain in medical cannabis dispensary facilities as



1 provided under sections 329D-15(a)(4) and  
2 329D-16(a)(3);

3 (42) The department of commerce and consumer affairs on  
4 applicants for nurse licensure or license renewal,  
5 reactivation, or restoration as provided by sections  
6 457-7, 457-8, 457-8.5, and 457-9;

7 (43) The county police departments on applicants for  
8 permits to acquire firearms pursuant to section 134-2  
9 ~~[and]~~, on individuals registering their firearms  
10 pursuant to section 134-3~~[+]~~, and on applicants for  
11 new or renewed licenses to carry a pistol or revolver  
12 and ammunition pursuant to section 134-9;

13 (44) The department of commerce and consumer affairs on:

14 (A) Each of the controlling persons of the applicant  
15 for licensure as an escrow depository, and each  
16 of the officers, directors, and principals who  
17 will be in charge of the escrow depository's  
18 activities upon licensure; and

19 (B) Each of the controlling persons of an applicant  
20 for proposed change in control of an escrow  
21 depository licensee, and each of the officers,





**S.B. NO.** 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 directors, and principals who will be in charge  
2 of the licensee's activities upon approval of the  
3 application,

4 as provided by chapter 449;

5 (45) The department of taxation on current or prospective  
6 employees or contractors who have access to federal  
7 tax information in order to comply with requirements  
8 of federal law, regulation, or procedure, as provided  
9 by section 231-1.6;

10 (46) The department of labor and industrial relations on  
11 current or prospective employees or contractors who  
12 have access to federal tax information in order to  
13 comply with requirements of federal law, regulation,  
14 or procedure, as provided by section 383-110;

15 (47) The department of human services on current or  
16 prospective employees or contractors who have access  
17 to federal tax information in order to comply with  
18 requirements of federal law, regulation, or procedure,  
19 as provided by section 346-2.5;

20 (48) The child support enforcement agency on current or  
21 prospective employees, or contractors who have access



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1 to federal tax information in order to comply with  
2 federal law, regulation, or procedure, as provided by  
3 section 576D-11.5;

4 (49) The department of the attorney general on current or  
5 prospective employees or employees or agents of  
6 contractors who have access to federal tax information  
7 to comply with requirements of federal law,  
8 regulation, or procedure, as provided by section 28-  
9 17;

10 [f] (50) [f] The department of commerce and consumer affairs on  
11 each control person, executive officer, director,  
12 general partner, and managing member of an installment  
13 loan licensee, or an applicant for an installment loan  
14 license, as provided in chapter 480J;

15 [f] (51) [f] The University of Hawaii on current and prospective  
16 employees and contractors whose duties include  
17 ensuring the security of campus facilities and  
18 persons; and

19 [f] (52) [f] Any other organization, entity, or the State, its  
20 branches, political subdivisions, or agencies as may  
21 be authorized by state law."



1       SECTION 13. Act 30, Session Laws of Hawaii 2022, is  
2 amended by amending section 5 to read as follows:

3       "SECTION 5. This Act shall take effect upon its approval[  
4 ~~provided that on June 30, 2025, section 2 of this Act shall be~~  
5 ~~repealed and section 134-3, Hawaii Revised Statutes, shall be~~  
6 ~~reenacted in the form in which it read on the day before the~~  
7 ~~effective date of this Act]."~~

8       SECTION 14. Every provision in this Act and every  
9 application of each provision in this Act is severable from each  
10 other. If any application of any provision in this Act to any  
11 person or group of persons or circumstances is determined by any  
12 court to be invalid, the remainder of this Act and the  
13 application of the Act's provisions to all other persons and  
14 circumstances shall not be affected. All constitutionally valid  
15 applications of this Act shall be severed from any applications  
16 that a court determines to be invalid or unenforceable, leaving  
17 the valid applications in force, because it is the legislature's  
18 intent that all valid applications shall remain in force.

19       SECTION 15. This Act shall be construed to be enforceable  
20 up to but no further than the maximum possible extent consistent  
21 with federal law and constitutional requirements.



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

1       SECTION 16. In codifying the new sections added by section  
2 2 of this Act, the revisor of statutes shall substitute  
3 appropriate section numbers for the letters used in designating  
4 the new sections in this Act.

5       SECTION 17. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

7       SECTION 18. This Act shall take effect on July 1, 2023;  
8 provided that:

9       (1) Sections 4 and 7 shall take effect on January 1, 2024;  
10       and

11       (2) The amendments made to section 846-2.7(b), Hawaii  
12 Revised Statutes, by section 12 of this Act shall not  
13 be repealed when section 28 of Act 278, Session Laws  
14 of Hawaii 2022, takes effect on January 1, 2024.



S.B. NO. 1230  
S.D. 2  
H.D. 1  
C.D. 1

**Report Title:**

Firearms; Permits; Licenses; Enforcement

**Description:**

Prohibits firearms in certain locations and premises. Requires possession and disclosure of a license to carry. Prohibits leaving an unsecured firearm in a vehicle unattended. Prohibits consuming or being under the influence of alcohol, an intoxicating liquor, or a controlled substance when carrying a firearm. Prohibits carrying or possessing firearms on certain private property without express authorization. Requires annual reports from the department of the attorney general on carry licenses. Amends the requirements for, and revocation of, firearms permits and licenses. Amends the disqualification of persons from owning, possessing, or controlling a firearm. Expands the qualified immunity for health care providers who provide information on firearms applicants to include physician assistants and advanced practice registered nurses. (CD1)

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

