

JAN 16 2008

A BILL FOR AN ACT

RELATING TO FIREARM AMMUNITION.

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

1 SECTION 1. The legislature finds that a new technology is
2 presently available, known as ammunition coding, that would
3 enable law enforcement to enhance the investigation of crimes
4 involving the discharge of a firearm. Ammunition coding is a
5 bullet identification technology that creates an identification
6 of bullets to the particular type of firearm and manufacturer.
7 Ammunition coding utilizes laser etching on the back of each
8 bullet with an alpha-numeric serial number. The ammunition is
9 sold with that coding, which is recorded electronically in a
10 statewide database along with the identification of the
11 purchaser or transferee. A bullet found at a crime scene could
12 then be readily traced to its last known owner.

13 The purpose of this Act is to require ammunition
14 manufactured or sold in this State to be coded, and to establish
15 a statewide database of the ammunition's coding.



1 SECTION 2. Chapter 134, Hawaii Revised Statutes, is
2 amended by adding two new sections to be appropriately
3 designated and to read as follows:

4 "§134- Ammunition coding. (a) Beginning January 1,
5 2009, all ammunition manufactured, sold, or utilized in the
6 State shall contain an identification code that is etched or
7 otherwise embossed onto the shell of the ammunition, whether in
8 number or letter or any combination thereof, of the manufacturer
9 and type of firearm that uses that ammunition. A manufacturer
10 who violates this subsection shall be liable for a civil fine of
11 \$5,000 for each piece of uncoded ammunition manufactured or
12 sold.

13 (b) Beginning January 1, 2009, it shall be unlawful for a
14 person registered under section 134-3 to sell or transfer any
15 ammunition not containing an identification code required under
16 subsection (a). A person who violates this subsection shall be
17 liable for a civil fine of \$1,000 for each piece of uncoded
18 ammunition sold or transferred.

19 (c) Beginning January 1, 2009, it shall be unlawful for
20 any person arriving in the State to bring or by any other manner
21 cause to be brought into the State ammunition of any description
22 that does not contain an identification code required under



1 subsection (a). A person who violates this subsection shall be
2 liable for a civil fine of \$500 for each piece of uncoded
3 ammunition brought into this State.

4 (d) Not later than January 1, 2009, a person licensed
5 under section 134-3 shall surrender all non-coded ammunition
6 remaining in the retailer's inventory to the county police
7 department for disposal.

8 §134- Ammunition coding system database. (a) The
9 attorney general shall maintain an ammunition coding system
10 database for the purpose of maintaining an electronic record of
11 all ammunition coded under section 134- . The ammunition
12 coding system database shall contain the following information
13 on every coded piece of ammunition:

- 14 (1) Name of the manufacturer;
15 (2) Type of firearm intended to be used with the
16 ammunition;
17 (3) Name of the licensed retailer under section 134-31
18 selling the coded ammunition;
19 (4) The name and other pertinent information of the
20 person, other than a licensed retailer under section
21 134-31, transferring or selling the coded ammunition;
22 and



1 (5) In the case of a licensed dealer under section 134-31,
2 the name person and other pertinent information of the
3 person to whom the coded firearm is sold or
4 transferred.

5 (b) A person licensed to sell or manufacture firearms
6 under section 134-31, and every other non-licensed person
7 selling or transferring coded ammunition shall register the sale
8 or transfer, as applicable, with the attorney general on
9 registration forms containing pertinent information as
10 prescribed by the attorney general. Any person who violates
11 this subsection shall be liable for a civil fine of \$1,000 per
12 piece of uncoded ammunition.

13 (c) The attorney general shall maintain an electronic
14 database of coded ammunition containing the information obtained
15 from the registration form under subsection (b). The electronic
16 database shall be accessible by county police departments, the
17 department of public safety, and the department of the attorney
18 general for purposes of crime investigation."

19 SECTION 3. New statutory material is underscored.

20 SECTION 4. This Act shall take effect upon its approval.

21

INTRODUCED BY: Clarence K. Fishburne
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Report Title:

Firearms; Ammunition Coding

Description:

Requires ammunition manufactured or sold to be coded; requires the attorney general to maintain an electronic database of coded ammunition.

