



GOV. MSG. NO. 1251

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 1, 2021

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 1, 2021, the following bill was signed into law:

HB1366 HD1

RELATING TO FIREARMS
ACT 149 (21)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

Approved by the Governor

ON JUL 01 2021
HOUSE OF REPRESENTATIVES
THIRTY-FIRST LEGISLATURE, 2021
STATE OF HAWAII

ACT 149
H.B. NO. 1366
H.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 notes that Act 74, Session Laws
2 of Hawaii 2020, established, among other things, the class C
3 felony offense of manufacturing, purchasing, or obtaining
4 firearm parts to assemble a firearm having no serial number.
5 This offense is now codified in section 134-10.2, Hawaii Revised
6 Statutes. However, according to law enforcement agencies,
7 persons found to be in possession of firearms having no serial
8 number, which are also known as "ghost guns" because they are
9 untraceable, claim that their actions do not violate the law
10 because the parts used to assemble the firearm were acquired
11 before the September 15, 2020, effective date of
12 section 134-10.2, Hawaii Revised Statutes.

13 Accordingly, the purpose of this Act is to:

14 (1) Amend the offense of manufacturing, purchasing, or
15 obtaining firearm parts to assemble a firearm having
16 no serial number to also prohibit possession of those
17 firearm parts; and



1 (2) Amend Act 74, Session Laws of Hawaii 2020, to repeal
2 language that specified the prospective application of
3 that Act.

4 SECTION 2. Section 134-10.2, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

6 "(a) A person who is not licensed to manufacture a firearm
7 under section 134-31, or who is not a dealer licensed by the
8 United States Department of Justice, shall not, for the purpose
9 of assembling a firearm, possess, purchase, produce with a
10 three-dimensional printer, or otherwise obtain separately, or as
11 part of a kit:

12 (1) A firearm receiver that is not imprinted with a serial
13 number registered with a federally licensed
14 manufacturer;

15 (2) A firearm receiver that has not been provided a serial
16 number that may be registered in accordance with
17 section 134-3(c); or

18 (3) Any combination of parts from which a firearm having
19 no serial number may be readily assembled; provided
20 that the parts do not have the capacity to function as
21 a firearm unless assembled."



1 SECTION 3. Act 74, Session Laws of Hawaii 2020, is amended
2 by repealing section 6.

3 [~~SECTION 6. This Act does not affect rights and duties
4 that matured, penalties that were incurred, and proceedings that
5 were begun before its effective date.~~"]

6 SECTION 4. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 5. This Act shall take effect on January 1, 2022.

APPROVED this 01 day of JUL , 2021



GOVERNOR OF THE STATE OF HAWAII



HB No. 1366, HD 1


THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: March 4, 2021
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Third Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021.



Scott K. Saiki
Speaker
House of Representatives




Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAII

Date: APR 13 2021
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Third Reading in the Senate of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021.



Ronald D. Kouchi
President of the Senate



Carol T. Taniguchi
Clerk of the Senate