
A BILL FOR AN ACT

RELATING TO FIREARMS.

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

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

4 "§134- Place to keep firearm parts; penalty. (a)
5 Except as provided in sections 134-5 and 134-9, all firearm
6 parts shall be confined to the possessor's place of business,
7 residence, or sojourn; provided that it shall be lawful to carry
8 firearm parts in an enclosed container from the place of
9 purchase to the purchaser's place of business, residence, or
10 sojourn, or between these places upon change of place of
11 business, residence, or sojourn, or between these places and the
12 following:

- 13 (1) A place of repair;
14 (2) A target range;
15 (3) A licensed dealer's place of business;
16 (4) An organized, scheduled firearms show or exhibit;



1 (5) A place of formal hunter or firearm use training or
2 instruction; or

3 (6) A police station.

4 (b) Any felon or prohibited person violating this section
5 shall be guilty of a class B felony; provided further that any
6 felon or prohibited person convicted under this section shall be
7 sentenced to a term of probation of four years, with conditions
8 to include a term of imprisonment of not less than one year
9 without possibility of suspension of sentence."

10 SECTION 2. Section 134-1, Hawaii Revised Statutes, is
11 amended by adding three new definitions to be appropriately
12 inserted and to read as follows:

13 "Enclosed container" means a rigidly constructed
14 receptacle, or a commercially manufactured gun case, or the
15 equivalent thereof that completely encloses the firearm or
16 firearm parts.

17 "Firearm parts" means any item that is specifically
18 designed for or adapted for use in creating a firearm, including
19 the barrel, bolt, slide, frame, receiver, or cylinder.

20 "Prohibited person" means any person who cannot lawfully
21 possess a firearm as defined by section 134-7(a) and (b)."



1 SECTION 3. Section 134-8, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) Any person who possesses, installs, removes, or
4 alters a firearm part with the intent to convert the firearm to
5 an automatic firearm, regardless of whether the conversion is
6 readily reversible, shall be deemed to have manufactured an
7 automatic firearm in violation of subsection (a)."

8 SECTION 4. Section 134-23, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "~~{}~~§134-23~~{}~~ **Place to keep loaded firearms other than**
11 **pistols and revolvers; penalty.** (a) Except as provided in
12 section 134-5, all firearms shall be confined to the possessor's
13 place of business, residence, or sojourn; provided that it shall
14 be lawful to carry unloaded firearms in an enclosed container
15 from the place of purchase to the purchaser's place of business,
16 residence, or sojourn, or between these places upon change of
17 place of business, residence, or sojourn, or between these
18 places and the following:

- 19 (1) A place of repair;
20 (2) A target range;
21 (3) A licensed dealer's place of business;



1 (4) An organized, scheduled firearms show or exhibit;

2 (5) A place of formal hunter or firearm use training or
3 instruction; or

4 (6) A police station.

5 ~~["Enclosed container" means a rigidly constructed~~
6 ~~receptacle, or a commercially manufactured gun case, or the~~
7 ~~equivalent thereof that completely encloses the firearm.]~~

8 (b) Any person violating this section by carrying or
9 possessing a loaded firearm other than a pistol or revolver
10 shall be guilty of a class B felony~~[-]~~; provided that a person
11 convicted under this section shall be sentenced to a term of
12 probation of four years, with conditions to include a term of
13 imprisonment of not less than one year without possibility of
14 suspension of sentence."

15 SECTION 5. Section 134-24, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "[+]§134-24[+] **Place to keep unloaded firearms other than**
18 **pistols and revolvers; penalty.** (a) Except as provided in
19 section 134-5, all firearms shall be confined to the possessor's
20 place of business, residence, or sojourn; provided that it shall
21 be lawful to carry unloaded firearms in an enclosed container



1 from the place of purchase to the purchaser's place of business,
2 residence, or sojourn, or between these places upon change of
3 place of business, residence, or sojourn, or between these
4 places and the following:

- 5 (1) A place of repair;
- 6 (2) A target range;
- 7 (3) A licensed dealer's place of business;
- 8 (4) An organized, scheduled firearms show or exhibit;
- 9 (5) A place of formal hunter or firearm use training or
10 instruction; or
- 11 (6) A police station.

12 [~~"Enclosed container" means a rigidly constructed~~
13 ~~receptacle, or a commercially manufactured gun case, or the~~
14 ~~equivalent thereof that completely encloses the firearm.]~~

15 (b) Any person violating this section by carrying or
16 possessing an unloaded firearm other than a pistol or revolver
17 shall be guilty of a class C felony[~~-~~]; provided that a person
18 convicted under this section shall be sentenced to a term of
19 probation of four years, with conditions to include a term of
20 imprisonment of not less than six months without possibility of
21 suspension of sentence."



1 SECTION 6. Section 134-25, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"[~~§~~134-25~~]~~ Place to keep pistol or revolver; penalty.**

4 (a) Except as provided in sections 134-5 and 134-9, all
5 firearms shall be confined to the possessor's place of business,
6 residence, or sojourn; provided that it shall be lawful to carry
7 unloaded firearms in an enclosed container from the place of
8 purchase to the purchaser's place of business, residence, or
9 sojourn, or between these places upon change of place of
10 business, residence, or sojourn, or between these places and the
11 following:

- 12 (1) A place of repair;
- 13 (2) A target range;
- 14 (3) A licensed dealer's place of business;
- 15 (4) An organized, scheduled firearms show or exhibit;
- 16 (5) A place of formal hunter or firearm use training or
17 instruction; or
- 18 (6) A police station.

19 ~~["Enclosed container" means a rigidly constructed~~
20 ~~receptacle, or a commercially manufactured gun case, or the~~
21 ~~equivalent thereof that completely encloses the firearm.]~~



1 (b) Any person violating this section by carrying or
2 possessing a loaded or unloaded pistol or revolver shall be
3 guilty of a class B felony~~[-]~~; provided that a person convicted
4 under this section shall be sentenced to a term of probation of
5 four years, with conditions to include a term of imprisonment of
6 not less than one year without possibility of suspension of
7 sentence."

8 SECTION 7. This Act does not affect rights and duties that
9 matured, penalties that were incurred, and proceedings that were
10 begun before its effective date.

11 SECTION 8. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 9. This Act shall take effect upon its approval.



Report Title:

Firearms; Firearm Parts; Criminal Offenses; Penalties

Description:

Allows the carrying or possessing of firearm parts only at or between certain locations and in an enclosed container. Defines firearm parts and prohibited persons. Establishes and increases penalties for the carrying or possessing of certain firearms or firearm parts other than at or between specific locations and in an enclosed container. (SD1)

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

