
A BILL FOR AN ACT

RELATING TO FIREARMS.

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

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

3 1. By adding six new definitions to be appropriately
4 inserted and to read:

5 ".50 caliber rifle" means a centerfire rifle capable of
6 firing a .50 caliber cartridge. ".50 caliber rifle" does not
7 include any antique firearm, shotgun including a shotgun that
8 has a rifle barrel, or muzzle-loader that uses black powder for
9 hunting or historical reenactments.

10 "Antique firearm" shall have the same meaning as provided
11 in title 18 United States Code section 921(a)(16).

12 "Assault rifle" means a semiautomatic rifle:

13 (1) With an overall length less than thirty inches;

14 (2) That has a fixed magazine with the capacity to accept
15 more than ten rounds, except for an attached tubular
16 device designed to accept, and capable of operating
17 only with, .22 caliber rimfire ammunition; or



1 (3) That accepts a detachable magazine or that may be
2 readily modified to accept a detachable magazine and
3 has one or more of the following characteristics:

4 (A) A folding, telescoping, or detachable stock, or a
5 stock that is otherwise foldable or adjustable in
6 a manner that operates to reduce the length, the
7 size, or any dimension, or otherwise enhances the
8 concealability of the weapon;

9 (B) A pistol grip or thumbhole stock;

10 (C) Any feature capable of functioning as a
11 protruding grip that can be held by the non-
12 trigger hand;

13 (D) A flash suppressor;

14 (E) A shroud that is attached to or partially or
15 completely encircles the barrel and permits the
16 shooter to hold the firearm with the second hand
17 without being burned, but excluding a slide that
18 encloses the barrel;

19 (F) A bayonet mount;

20 (G) A grenade launcher; or



1 (H) A threaded barrel capable of accepting a barrel
2 extender, flash suppressor, forward hand grip, or
3 silencer.

4 "Assault shotgun" means a semiautomatic shotgun that has
5 one or more of the following characteristics:

6 (1) Accepts a detachable magazine;

7 (2) Has a revolving cylinder;

8 (3) A pistol grip or thumbhole stock;

9 (4) Any feature capable of functioning as a protruding
10 grip that can be held by the non-trigger hand;

11 (5) A folding, telescoping, or detachable stock, or a
12 stock that is otherwise foldable or adjustable in a
13 manner that operates to reduce the length, the size,
14 or any dimension, or otherwise enhances the
15 concealability of the weapon;

16 (6) A grenade launcher; or

17 (7) A fixed magazine with the capacity to hold more than
18 five rounds.

19 "Detachable magazine" means an ammunition feeding device
20 that may be removed from a firearm without disassembly of the
21 firearm action, including an ammunition feeding device that may



1 be readily removed from a firearm with the use of a bullet,
2 cartridge, or accessory, or other tool, or any other object that
3 functions as a tool, including a bullet or cartridge.

4 "Fixed magazine" means an ammunition feeding device that is
5 permanently attached to a firearm, or contained in and not
6 removable from a firearm, or that is otherwise not a detachable
7 magazine, but does not include an attached tubular device
8 designed to accept, and capable of operating only with, .22
9 caliber rimfire ammunition."

10 2. By repealing the definition of "antique pistol or
11 revolver".

12 [~~"Antique pistol or revolver" means any pistol or revolver~~
13 ~~manufactured before 1899 and any replica thereof if it either is~~
14 ~~not designed or redesigned for using rimfire or conventional~~
15 ~~centerfire fixed ammunition or is designed or redesigned to use~~
16 ~~rimfire or conventional centerfire fixed ammunition that is no~~
17 ~~longer manufactured in the United States and is not readily~~
18 ~~available in the ordinary channels of commercial trade."]~~

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



1 **"§134-4 Transfer, possession of firearms.** (a) No
2 transfer of any rifle having a barrel length of sixteen inches
3 or over or any shotgun having a barrel length of eighteen inches
4 or over, whether usable or unusable, serviceable or
5 unserviceable, modern or antique, registered under prior law or
6 by a prior owner, or unregistered shall be made to any person
7 under the age of eighteen years, except as provided by section
8 134-5.

9 (b) No person shall possess any firearm that is owned by
10 another, regardless of whether the owner has consented to
11 possession of the firearm, without a permit from the chief of
12 police of the appropriate county, except as provided in
13 subsection (c) and section 134-5.

14 (c) Any lawfully acquired rifle or shotgun may be lent to
15 an adult for use within the State for a period not to exceed
16 fifteen days without a permit; provided that where the rifle or
17 shotgun is to be used outside of the State, the loan may be for
18 a period not to exceed seventy-five days.

19 (d) No person shall intentionally, knowingly, or
20 recklessly lend a firearm to any person who is prohibited from



1 ownership, possession, or control of a firearm under section
2 134-7.

3 (e) After July 1, 1992, no person shall bring or cause to
4 be brought into the State an assault pistol. No assault pistol
5 may be sold or transferred on or after July 1, 1992, to anyone
6 within the State other than to a dealer licensed under section
7 134-32 or the chief of police of any county except that any
8 person who obtains title by bequest or intestate succession to
9 an assault pistol registered within the State shall, within
10 ninety days, render the weapon permanently inoperable, sell or
11 transfer the weapon to a licensed dealer or the chief of police
12 of any county, or remove the weapon from the State.

13 (f) After July 8, 2025, except as provided by section
14 134-8(e), no person shall bring or cause to be brought into the
15 State an assault rifle, assault shotgun, or .50 caliber rifle.
16 No assault rifle, assault shotgun, or .50 caliber rifle shall be
17 sold or transferred on or after July 8, 2025, to anyone within
18 the State, other than to a dealer licensed under section 134-32
19 or the chief of police of any county, except as provided by
20 section 134-8(e); provided that any person who obtains title by
21 bequest or intestate succession to an assault rifle, assault



1 shotgun, or .50 caliber rifle registered within the State shall,
2 within ninety days, render the weapon permanently inoperable,
3 sell or transfer the weapon to a licensed dealer or the chief of
4 police of any county, or remove the weapon from the State."

5 SECTION 3. Section 134-8, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§134-8 Ownership, etc., of automatic firearms, silencers,**
8 **etc., prohibited; penalties.** (a) The manufacture, possession,
9 sale, barter, trade, gift, transfer, or acquisition of any of
10 the following [~~is~~] shall be prohibited: assault pistols, except
11 as provided by section 134-4(e); assault rifles, except as
12 provided by section 134-4(f); assault shotguns, except as
13 provided by section 134-4(f); .50 caliber rifles, except as
14 provided by section 134-4(f); automatic firearms; rifles with
15 barrel lengths less than sixteen inches; shotguns with barrel
16 lengths less than eighteen inches; cannons; mufflers, silencers,
17 or devices for deadening or muffling the sound of discharged
18 firearms; hand grenades, dynamite, blasting caps, bombs, or
19 bombshells, or other explosives; or any type of ammunition or
20 any projectile component thereof coated with teflon or any other
21 similar coating designed primarily to enhance its capability to



1 penetrate metal or pierce protective armor; and any type of
2 ammunition or any projectile component thereof designed or
3 intended to explode or segment upon impact with its target.

4 This subsection shall not apply to a person's possession of
5 an assault rifle, assault shotgun, or .50 caliber rifle
6 registered to the person before July 8, 2025, pursuant to 134-3.

7 A person authorized under this subsection to possess an
8 assault rifle, assault shotgun, or .50 caliber rifle shall
9 possess the assault rifle, assault shotgun, or .50 caliber rifle
10 only:

11 (1) On private property owned or immediately controlled by
12 the person;

13 (2) On private property that is not open to the public
14 with the express permission of the person who owns or
15 immediately controls the property;

16 (3) While on the premises of a licensed firearms dealer or
17 gunsmith for the purpose of lawful repair;

18 (4) While engaged in the legal use of the assault rifle,
19 assault shotgun, or .50 caliber rifle at a properly
20 licensed firing range or sport shooting competition
21 venue; or



1 (5) While traveling to or from the locations listed in
2 paragraphs (1) through (4); provided that the assault
3 rifle, assault shotgun, or .50 caliber rifle is
4 unloaded in an enclosed container, as defined in
5 section 134-24.

6 (b) Any person who installs, removes, or alters a firearm
7 part with the intent to convert the firearm to an automatic
8 firearm shall be deemed to have manufactured an automatic
9 firearm in violation of subsection (a).

10 (c) The manufacture, possession, sale, barter, trade,
11 gift, transfer, or acquisition of detachable [~~ammunition~~]
12 magazines with a capacity in excess of ten rounds [~~which~~] that
13 are designed for or capable of use with [~~a pistol~~] any firearm
14 [~~is~~] shall be prohibited. This subsection shall not apply to
15 magazines originally designed to accept more than ten rounds of
16 ammunition [~~which~~] that have been modified to accept no more
17 than ten rounds and [~~which~~] that are not capable of being
18 readily restored to a capacity of more than ten rounds.

19 (d) Any person violating subsection (a) or (b) shall be
20 guilty of a class C felony and shall be imprisoned for a term of
21 five years without probation. Any person violating subsection



1 (c) shall be guilty of a misdemeanor except when a detachable
2 magazine prohibited under this section is possessed while
3 inserted into a [~~pistol~~] firearm in which case the person shall
4 be guilty of a class C felony."

5 SECTION 4. Section 134-15, Hawaii Revised Statutes, is
6 amended by amending subsection (b) to read as follows:

7 "(b) This section shall not apply to any pistol or
8 revolver duly registered [~~prior to~~] before July 1, 1975,
9 pursuant to section 134-3 or to any antique [~~pistol or~~
10 ~~revolver.~~] firearm."

11 SECTION 5. This Act does not affect rights and duties that
12 matured, penalties that were incurred, and proceedings that were
13 begun before its effective date.

14 SECTION 6. Every provision in this Act and every
15 application of each provision in this Act is severable from each
16 other. If any application of any provision in this Act to any
17 person or group of persons or circumstances is determined by any
18 court to be invalid, the remainder of this Act and the
19 application of the Act's provisions to all other persons and
20 circumstances shall not be affected. All constitutionally valid
21 applications of this Act shall be severed from any applications



1 that a court determines to be invalid or unenforceable, leaving
2 the valid applications in force, because it is the legislature's
3 intent that all valid applications shall remain in force.

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

6 SECTION 8. This Act shall take effect upon its approval.



Report Title:

Firearms; Assault Rifles; Assault Shotguns; .50 Caliber Rifles;
Detachable Magazines; Prohibition

Description:

Establishes prohibitions on assault rifles, assault shotguns,
and .50 caliber rifles. Expands the ban on high-capacity
detachable magazines. (HD1)

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