

JAN 17 2025

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 the State has some
2 of the strongest gun safety laws in the nation, and in 2023 the
3 State received an A-minus rating from the Giffords Law Center to
4 Prevent Gun Violence. Additionally, according to the Centers
5 for Disease Control and Prevention, the State had the third
6 lowest number of gun deaths per capita in the nation in 2022.
7 The legislature is committed to protecting the safety and well-
8 being of its citizens. However, the State's assault weapons ban
9 does not cover certain types of weapons. This Act will expand
10 the coverage of the ban to include .50 caliber rifles and
11 assault weapon attachments.

12 Accordingly, the purpose of this Act is to:

- 13 (1) Amend the prohibition on certain assault weapons to
14 include .50 caliber rifles and assault weapon
15 attachments;
- 16 (2) Modernize the prohibition on assault pistols to
17 include pistols with one or more prohibited features;



(3) Prohibit firearms other than pistols with a detachable magazine with over a twenty-round capacity;

(4) Prohibit persons from bringing or causing to be brought into the State a .50 caliber rifle or assault weapon attachment;

(5) Prohibit the sale or transfer of a .50 caliber rifle or assault weapon attachment in the State, unless the 50 caliber rifle or assault weapon attachment is sold or transferred to an authorized individual; and

(6) Create exceptions for the acquisition and possession of prohibited firearms for members of law enforcement and the military.

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

1. By adding seven new definitions to be appropriately inserted and to read:

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

"Assault rifle" means:

(1) A semiautomatic centerfire rifle with an overall length less than thirty inches;



1 (2) A semiautomatic centerfire rifle that has a fixed
2 magazine with the capacity to accept more than ten
3 rounds, except for an attached tubular device designed
4 to accept, and capable of operating only with, .22
5 caliber rimfire ammunition;

6 (3) A semiautomatic rifle that accepts a detachable
7 magazine or that may be readily modified to accept a
8 detachable magazine and has one or more of the
9 following characteristics:

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

15 (B) A pistol grip;

16 (C) Any feature capable of functioning as a
17 protruding grip that can be held by the non-
18 trigger hand;

19 (D) A flash suppressor;

20 (E) A shroud that is attached to or partially or
21 completely encircles the barrel and permits the



1 shooter to hold the firearm with the second hand
2 without being burned, but excluding a slide that
3 encloses the barrel;

4 (F) A bayonet mount;

5 (G) A grenade launcher; or

6 (H) A threaded barrel capable of accepting a barrel
7 extender, flash suppressor, forward hand grip, or
8 silencer; or

9 (4) Any of the following rifles, copies, duplicates,
10 variants, or altered facsimiles with the capabilities
11 of any such weapon:

12 (A) All AK types, including:

13 (i) AK, AK47, AK47S, AK-74, AKM, AKS, ARM MAK90,
14 MISR, NHM90, NHM91, SA85, SA93, Vector Arms
15 AK-47, VEPR, WASR-10, and WUM;

16 (ii) IZHMAASH Saiga AK;

17 (iii) MAADI AK47 and ARM;

18 (iv) Norinco 56S, 56S2, 84S, and 86S;

19 (v) Poly Technologies AK47 and AKS; and

20 (vi) SKS with a detachable magazine;

21 (B) All AR types, including:



- 1 (i) AR-10;
- 2 (ii) AR-15;
- 3 (iii) Alexander Arms Overmatch Plus 16;
- 4 (iv) Armalite M15 22LR Carbine;
- 5 (v) Armalite M15-T;
- 6 (vi) Barrett REC7;
- 7 (vii) Beretta AR-70;
- 8 (viii) Black Rain Ordnance Recon Scout;
- 9 (ix) Bushmaster ACR;
- 10 (x) Bushmaster Carbon 15;
- 11 (xi) Bushmaster MOE series;
- 12 (xii) Bushmaster XM15;
- 13 (xiii) Chiappa Firearms MFour rifles;
- 14 (xiv) Colt Match Target rifles;
- 15 (xv) CORE Rifle Systems CORE15 rifles;
- 16 (xvi) Daniel Defense M4A1 rifles;
- 17 (xvii) Devil Dog Arms 15 Series rifles;
- 18 (xviii) Diamondback DB15 rifles;
- 19 (xix) Doublestar AR rifles;
- 20 (xx) DPMS Tactical rifles;
- 21 (xxi) DSA Inc. ZM-4 Carbine;



- 1 (xxii) Heckler & Koch MR556;
- 2 (xxiii) High Standard HSA-15 rifles;
- 3 (xxiv) Jesse James Nomad AR-15 rifle;
- 4 (xxv) Knight's Armament SR-15;
- 5 (xxvi) Lancer L15 rifles;
- 6 (xxvii) MGI Hydra Series rifles;
- 7 (xxviii) Mossberg MMR Tactical rifles;
- 8 (xxix) Noreen Firearms BN 36 rifle;
- 9 (xxx) Olympic Arms;
- 10 (xxxi) POF USA P415;
- 11 (xxxii) Precision Firearms AR rifles;
- 12 (xxxiii) Remington R-15 rifles;
- 13 (xxxiv) Rhino Arms AR rifles;
- 14 (xxxv) Rock River Arms LAR-15 or Rock River Arms
- 15 LAR-47;
- 16 (xxxvi) Sig Sauer SIG516 rifles and MCX rifles;
- 17 (xxxvii) Smith & Wesson M&P15 rifles;
- 18 (xxxviii) Stag Arms AR rifles;
- 19 (xxxix) Sturm, Ruger & Co. SR556 and AR-556 rifles;
- 20 (xl) Uselton Arms Air-Lite M-4 rifles;
- 21 (xli) Windham Weaponry AR rifles;



1 (xlii) WMD Guns Big Beast; and

2 (xliii) Yankee Hill Machine Company, Inc. YHM-15

3 rifles;

4 (C) Barrett M107A1;

5 (D) Barrett M82A1;

6 (E) Beretta CX4 Storm;

7 (F) Calico Liberty Series;

8 (G) CETME Sporter;

9 (H) Daewoo K-1, K-2, Max 1, Max 2, AR100, and AR

10 110C;

11 (I) Fabrique Nationale (FN) Herstal FAL, LAR, 22 FNC,

12 308 Match, L1A1 Sporter, PS90, SCAR, and FS2000;

13 (J) Feather Industries AT-9;

14 (K) Galil Model AR and Model ARM;

15 (L) Hi-Point Carbine;

16 (M) HK-91, HK-93, HK-94, HK PSG-1, and HK USC;

17 (N) IWI TAVOR and Galil ACE rifle;

18 (O) Kel-Tec Sub-2000, SU-16, and RFB;

19 (P) SIG AMT, SIG PE-57, Sig Sauer SG 550, Sig Sauer

20 SG 551, and Sig Sauer MCX;

21 (Q) Springfield Armory SAR-48;



1 (R) Steyr AUG;

2 (S) Sturm, Ruger & Co. Mini-14 Tactical Rifle M-
3 14/20CF;

4 (T) All Thompson rifles, including:

5 (i) Thompson M1SB;

6 (ii) Thompson T1100D;

7 (iii) Thompson T150D;

8 (iv) Thompson T1B;

9 (v) Thompson T1B100D;

10 (vi) Thompson T1B50D;

11 (vii) Thompson T1BSB;

12 (viii) Thompson T1-C;

13 (ix) Thompson T1D;

14 (x) Thompson T1SB;

15 (xi) Thompson T5;

16 (xii) Thompson T5100D;

17 (xiii) Thompson TM1; and

18 (xiv) Thompson TM1C;

19 (U) UMAREX UZI rifle;

20 (V) UZI Mini Carbine, Uzi Model A Carbine, and UZI
21 Model B Carbine;



1 (W) Valmet M62S, M71S, and M78;

2 (X) Vector Arms UZI Type;

3 (Y) Weaver Arms Nighthawk; and

4 (Z) Wilkinson Arms Linda Carbine;

5 but does not include a firearm that is an unserviceable firearm
6 or has been made permanently inoperable, an antique firearm or a
7 replica of an antique firearm, or a curio or relic as those
8 terms are used in 18 United States Code section 921(a)(13) or 27
9 Code of Federal Regulations section 478.11, or a firearm that is
10 manually operated by a bolt, pump, lever, or slide action.

11 "Assault shotgun" means:

12 (1) A semiautomatic shotgun that has one or more of the
13 following characteristics:

14 (A) Accepts a detachable magazine;

15 (B) A revolving cylinder;

16 (C) A pistol grip or thumbhold stock;

17 (D) Any feature capable of functioning as a
18 protruding grip that can be held by the non-
19 trigger hand;

20 (E) A folding or thumbhold stock;

21 (F) A grenade launcher; or



1 (G) A fixed magazine with the capacity to hold more
2 than five rounds; or

3 (2) Any of the following shotguns, copies, duplicates,
4 variants, or altered facsimiles with the capability of
5 any such weapon:

6 (A) DERYA Anakon MC-1980, Anakon SD12;

7 (B) Doruk Lethal shotguns;

8 (C) Franchi LAW-12 and SPAS 12;

9 (D) All IZHMASH Saiga 12 types, including:

10 (i) IZHMASH Saiga 12;

11 (ii) IZHMASH Saiga 12S;

12 (iii) IZHMASH Saiga 12S EXP-01;

13 (iv) IZHMASH Saiga 12k;

14 (v) IZHMASH Saiga 12K-030; and

15 (vi) IZHMASH Saiga 12K-040 Taktika;

16 (E) Street sweeper; and

17 (F) Striker 12,

18 but does not include a firearm that is an unserviceable firearm
19 or has been made permanently inoperable, an antique firearm or a
20 replica of an antique firearm, or a curio or relic as those
21 terms are used in 18 United States Code section 921(a)(13) or 27



1 Code of Federal Regulations section 478.11, or a firearm that is
2 manually operated by a bolt, pump, lever, or slide action.

3 "Assault weapon attachment" means any device capable of
4 being attached to a firearm that is specifically designed for
5 making or converting a firearm into an assault pistol, assault
6 rifle, or assault shotgun.

7 "Detachable magazine" means an ammunition feeding device
8 that may be removed from a firearm without disassembly of the
9 firearm action, including an ammunition feeding device that may
10 be readily removed from a firearm with the use of a bullet,
11 cartridge, accessory, or other tool, or any other object that
12 functions as a tool, including a bullet or cartridge.

13 "Fixed magazine" means an ammunition feeding device that is
14 permanently attached to a firearm, or contained in and not
15 removable from a firearm, or that is otherwise not a detachable
16 magazine, but does not include an attached tubular device
17 designed to accept, and capable of operating only with, .22
18 caliber rimfire ammunition.

19 ".50 caliber rifle" means a centerfire rifle capable of
20 firing a .50 caliber cartridge. ".50 caliber rifle" does not
21 include any antique firearm, any shotgun including a shotgun



1 that has a rifle barrel, or any muzzle-loader which uses black
2 powder for hunting or historical reenactments."

3 2. By amending the definition of "assault pistol" to read:

4 ""Assault pistol" means [a]:

5 (1) A semiautomatic pistol that accepts a detachable
6 magazine and has [~~two~~] one or more of the following
7 characteristics:

8 [~~(1)~~] (A) An ammunition magazine that attaches to the
9 pistol outside of the pistol grip;

10 [~~(2)~~] (B) A threaded barrel capable of accepting a barrel
11 extender, flash suppressor, forward hand grip, or
12 silencer;

13 [~~(3)~~] (C) A shroud that is attached to or partially or
14 completely encircles the barrel and permits the
15 shooter to hold the firearm with the second hand
16 without being burned[+] but excluding a slide
17 that encloses the barrel;

18 [~~(4)~~] (D) A manufactured weight of fifty ounces or more
19 when the pistol is unloaded;

20 [~~(5)~~] (E) A centerfire pistol with an overall length of
21 twelve inches or more; [~~or~~



~~(6)~~] (F) It is a semiautomatic version of an automatic
firearm;

(G) A second pistol grip or another feature capable of functioning as a protruding grip that can be held by the non-trigger hand; or

(H) A buffer tube, arm brace, or other part that protrudes horizontally behind the pistol grip and is designed or redesigned to allow or facilitate a firearm to be fired from the shoulder;

(2) A semiautomatic pistol that has a fixed magazine with
the capacity to accept more than ten rounds; or

(3) Any of the following pistols, copies, duplicates,
variants, or altered facsimiles with the capability of
any such weapon:

(A) All AK types, including the following:

(i) Centurion 39 AK pistol;

(ii) Draco AK-47 pistol;

(iii) HCR AK-47 pistol;

(iv) IO Inc. Hellpup AK-47 pistol;

(v) Krinkov pistol;

(vi) Mini Draco AK-47 pistol;



- 1 (vii) PAP M92 pistol; or
- 2 (viii) Yugo Krebs Krink pistol;
- 3 (B) All AR types, including the following:
- 4 (i) American Spirit AR-15 pistol;
- 5 (ii) Bushmaster Carbon 15 pistol;
- 6 (iii) Chiappa Firearms M4 Pistol GEN II;
- 7 (iv) CORE Rifle Systems CORE15 Roscoe pistol;
- 8 (v) Daniel Defense MK18 pistol;
- 9 (vi) DoubleStar Corporation AR pistol;
- 10 (vii) DPMS AR-15 pistol;
- 11 (viii) Jesse James Nomad AR-15 pistol;
- 12 (ix) Olympic Arms AR-15 pistol;
- 13 (x) Osprey Armament MK-18 pistol;
- 14 (xi) POF USA AR pistols;
- 15 (xii) Rock River Arms LAR 15 pistol; and
- 16 (xiii) Uselton Arms AR-Lite M-4 pistol;
- 17 (C) Calico pistols;
- 18 (D) CZ Scorpion pistol;
- 19 (E) DSA SA58 PKP FAL pistol;
- 20 (F) Encom MP-9 and MP-45;
- 21 (G) Heckler & Koch model SP-89 pistol;



1 (H) Intratec AB-10, TEC-22 Scorpion, TEC-9, and TEC-

2 DC9;

3 (I) IWI Galil Ace pistol and UZI PRO pistol;

4 (J) Kel-Tec PLR 16 pistol;

5 (K) All MAC types including the following:

6 (i) MAC-10;

7 (ii) MAC-11;

8 (iii) Masterpiece Arms MPA A930 Mini Pistol,

9 MPA460 Pistol, MPA Tactical Pistol, and MPA

10 Mini Tactical Pistol;

11 (iv) Military Armament Corp. Ingram M-11; and

12 (v) Velocity Arms VMAC;

13 (L) Sig Sauer P556 pistol;

14 (M) Sites Spectre;

15 (N) All Thompson types, including the following:

16 (i) Thompson TA510D; and

17 (ii) Thompson TA5; and

18 (O) All UZI types, including Micro UZI,

19 but does not include a firearm that is an unserviceable firearm

20 or has been made permanently inoperable, a firearm with a barrel

21 sixteen or more inches in length, an antique [~~pistol as defined~~



1 ~~in this section,~~ firearm or a replica of an antique firearm, or
2 a curio or relic as those terms are used in 18 United States
3 Code section 921(a)(13) or 27 Code of Federal Regulations
4 section 478.11."

5 3. By repealing the definition of "antique pistol or
6 revolver".

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

14 SECTION 3. Section 134-4, Hawaii Revised Statutes, is
15 amended to read as follows:

16 **"§134-4 Transfer, possession of firearms.** (a) No
17 transfer of any rifle having a barrel length of sixteen inches
18 or over or any shotgun having a barrel length of eighteen inches
19 or over, whether usable or unusable, serviceable or
20 unserviceable, modern or antique, registered under prior law or
21 by a prior owner, or unregistered shall be made to any person



1 under the age of eighteen years, except as provided by section
2 134-5.

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

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

13 (d) No person shall intentionally, knowingly, or
14 recklessly lend a firearm to any person who is prohibited from
15 ownership, possession, or control of a firearm under section
16 134-7.

17 (e) After July 1, 1992, no person shall bring or cause to
18 be brought into the State an assault pistol. No assault pistol
19 may be sold or transferred on or after July 1, 1992, to anyone
20 within the State other than to a dealer licensed under section
21 134-32 or the chief of police of any county except that any



1 person who obtains title by bequest or intestate succession to
2 an assault pistol registered within the State shall, within
3 ninety days, render the weapon permanently inoperable, sell or
4 transfer the weapon to a licensed dealer or the chief of police
5 of any county, or remove the weapon from the State.

6 (f) After July 8, 2025, except as provided by section
7 134-8(e), no person shall bring or cause to be brought into the
8 State a .50 caliber rifle or assault weapon attachment. No .50
9 caliber rifle or assault weapon attachment shall be sold or
10 transferred on or after July 8, 2025, to anyone within the
11 State, other than to a dealer licensed under section 134-32 or
12 the chief of police of any county, except as provided by section
13 134-8(e); provided that any person who obtains title by bequest
14 or intestate succession to a .50 caliber rifle registered within
15 the State shall, within ninety days, render the weapon
16 permanently inoperable, sell or transfer the weapon to a
17 licensed dealer or the chief of police of any county, or remove
18 the weapon from the State."

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



1 "**§134-8 Ownership, etc., of automatic firearms, silencers,**
2 **etc., prohibited; penalties.** (a) The manufacture, possession,
3 sale, barter, trade, gift, transfer, or acquisition of any of
4 the following is prohibited: assault pistols, except as
5 provided by section 134-4(e); .50 caliber rifles, except as
6 provided by section 134-4(f); assault weapon attachments;
7 automatic firearms; rifles with barrel lengths less than sixteen
8 inches; shotguns with barrel lengths less than eighteen inches;
9 cannons; mufflers, silencers, or devices for deadening or
10 muffling the sound of discharged firearms; hand grenades,
11 dynamite, blasting caps, bombs, or bombshells, or other
12 explosives; or any type of ammunition or any projectile
13 component thereof coated with teflon or any other similar
14 coating designed primarily to enhance its capability to
15 penetrate metal or pierce protective armor; and any type of
16 ammunition or any projectile component thereof designed or
17 intended to explode or segment upon impact with its target.

18 This subsection shall not apply to a person's possession of
19 a .50 caliber rifle registered to the person subject to the
20 requirements of section 134-3.



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1 A person authorized under this subsection to possess a .50
2 caliber rifle shall possess the .50 caliber rifle only:

3 (1) On private property owned or immediately controlled by
4 the person;

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

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

10 (4) While engaged in the legal use of the .50 caliber
11 rifle at a properly licensed firing range or sport
12 shooting competition venue; or

13 (5) While traveling to or from the locations listed in
14 paragraphs (1) through (4); provided that the .50
15 caliber rifle is unloaded and enclosed in a case,
16 firearm carrying box, shipping box, or other
17 container.

18 (b) Any person who installs, removes, or alters a firearm
19 part with the intent to convert the firearm to an automatic
20 firearm shall be deemed to have manufactured an automatic
21 firearm in violation of subsection (a).



1 (c) The manufacture, possession, sale, barter, trade,
2 gift, transfer, or acquisition of detachable ammunition
3 magazines with a capacity in excess of ten rounds [~~which~~] that
4 are designed for or capable of use with a pistol is prohibited.
5 This subsection shall not apply to magazines originally designed
6 to accept more than ten rounds of ammunition which have been
7 modified to accept [~~no~~] not more than ten rounds and which are
8 not capable of being readily restored to a capacity of more than
9 ten rounds.

10 (d) The manufacture, possession, sale, barter, trade,
11 gift, transfer, or acquisition of detachable ammunition
12 magazines with a capacity in excess of twenty rounds that are
13 designed for or capable of use with any firearm other than a
14 pistol is prohibited. This subsection shall not apply to
15 magazines originally designed to accept more than twenty rounds
16 of ammunition which have been modified to accept not more than
17 twenty rounds and which are not capable of being readily
18 restored to a capacity of more than twenty rounds.

19 [~~(d)~~] (e) Any person [~~violating~~] who intentionally or
20 knowingly violates subsection (a) or (b) shall be guilty of a
21 class C felony and shall be imprisoned for a term of five years



1 without probation. Any person ~~[violating]~~ who intentionally or
2 knowingly violates subsection (c) or (d) shall be guilty of a
3 misdemeanor except when a detachable magazine prohibited under
4 this section is possessed while inserted into a pistol or other
5 firearm in which case the person shall be guilty of a class C
6 felony.

7 (f) The provisions of this section regarding the
8 acquisition and possession of assault pistols, .50 caliber
9 rifles, assault weapon attachments, and detachable ammunition
10 magazines with a capacity in excess of ten rounds or twenty
11 rounds, as applicable, shall not apply to a person in an exempt
12 category identified in section 134-11."

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

15 "(b) This section shall not apply to any pistol or
16 revolver duly registered prior to July 1, 1975, pursuant to
17 section 134-3 or to any antique ~~[pistol or revolver.]~~ firearm."

18 SECTION 6. If any provision of this Act, or the
19 application thereof to any person or circumstance, is held
20 invalid, the invalidity does not affect other provisions or
21 applications of the Act that can be given effect without the



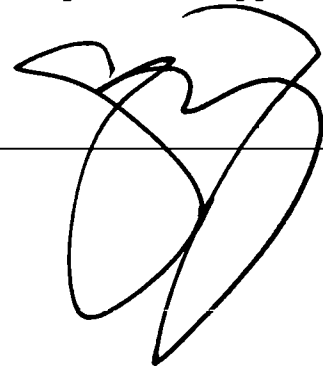
1 invalid provision or application, and to this end the provisions
2 of this Act are severable.

3 SECTION 7. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun before its effective date.

6 SECTION 8. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

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

INTRODUCED BY: _____

A large, stylized handwritten signature in black ink, written over a horizontal line.

Report Title:

Firearms; Assault Pistols; Assault Weapon Attachments; .50 Caliber Rifles; Magazine Capacity; Prohibition

Description:

Amends the prohibition on certain assault weapons to include .50 caliber rifles and assault weapon attachments. Modernizes the prohibition on assault pistols to include pistols with one or more prohibited feature. Prohibits firearms other than pistols with a detachable magazine with over a twenty-round capacity. Prohibits persons from bringing or causing to be brought into the State a .50 caliber rifle or assault weapon attachment. Prohibits the sale or transfer of a .50 caliber rifle or assault weapon attachment in the State, unless the .50 caliber rifle or assault weapon attachment is sold or transferred to an authorized individual. Creates exceptions for the acquisition and possession of prohibited firearms for members of law enforcement and the military.

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

