
A BILL FOR AN ACT

RELATING TO FIREARMS.

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

SECTION 1. This Act shall be known and may be cited as
"Officer O's Crime Bill" in memory of Officer Suzanne O.

SECTION 2. Chapter 706, Hawaii Revised Statutes, is
amended by adding a new section to be appropriately designated
and to read as follows:

"§706- Sentence of imprisonment for firearm offenses.

(1) Notwithstanding section 706-669 and any other law to the
contrary, any person convicted of any of the following class A
felonies:

(a) Section 134-7 relating to persons prohibited from
owning, possessing, or controlling firearms or
ammunition; or

(b) Section 134-9.4 relating to unlawful conduct while
carrying a firearm;

shall be sentenced to a mandatory minimum period of imprisonment
without possibility of parole during that period, the length of
which shall be twenty years."



1 SECTION 3. Section 134-7, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By amending subsection (f) to read:

4 "(f) No person who has been restrained pursuant to an
5 order of any court, including a gun violence protective order
6 issued pursuant to part IV, from contacting, threatening, or
7 physically abusing any person, shall possess, control, or
8 transfer ownership of any firearm or ammunition, so long as the
9 protective order, restraining order, or any extension is in
10 effect. The protective order or restraining order shall
11 specifically include a statement that possession, control, or
12 transfer of ownership of a firearm or ammunition by the person
13 named in the order is prohibited. The person named in the order
14 shall relinquish possession and control of any firearm and
15 ammunition owned by that person to the police department of the
16 appropriate county for safekeeping for the duration of the order
17 or extension thereof. At the time of service of a protective
18 order or restraining order involving firearms and ammunition
19 issued by any court, a police officer may take custody of any
20 and all firearms and ammunition in plain sight, those discovered
21 pursuant to a consensual search, and those firearms surrendered



1 by the person restrained. If the person restrained is the
2 registered owner of a firearm and knows the location of the
3 firearm, but refuses to surrender the firearm or disclose the
4 location of the firearm, the person restrained shall be guilty
5 of a misdemeanor. In any case, when a police officer is unable
6 to locate the firearms and ammunition either registered under
7 this chapter or known to the person granted protection by the
8 court, the police officer shall apply to the court for a search
9 warrant pursuant to chapter 803 for the limited purpose of
10 seizing the firearm and ammunition."

11 2. By amending subsection (j) to read:

12 "(j) Any person violating ~~[subsection]~~ :

13 (1) Subsection (f) shall be guilty of a class A felony;

14 (2) Subsection (a) or (b) shall be guilty of a class C

15 felony; provided that any felon violating subsection

16 (b) shall be guilty of a class [B] A felony [and if

17 said prior felony conviction is that of a crime of

18 violence, as defined in section 134-1, the defendant

19 shall be sentenced to an indeterminate term of

20 imprisonment as provided by law.]; and



1 (3) ~~[Any person violating subsection]~~ Subsection (c), (d),
2 (e), ~~[+f),]~~ (g), or (h) shall be guilty of a
3 misdemeanor."

4 SECTION 4. Section 134-9.4, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "[~~f~~]**\$134-9.4**[~~f~~] **Unlawful conduct while carrying a firearm;**

7 **penalty.** (a) A person carrying a firearm shall not:

8 (1) Consume alcohol or intoxicating liquor;

9 (2) Consume a controlled substance;

10 (3) Be under the influence of alcohol or intoxicating
11 liquor; ~~[or]~~

12 (4) Be under the influence of a controlled substance~~[+]~~;

13 or

14 (5) Knowingly possess methamphetamine in any amount.

15 (b) As used in this section:

16 "Alcohol" and "intoxicating liquor" shall have the same
17 meaning as in section 281-1.

18 "Controlled substance" means a drug, substance, or
19 immediate precursor in schedules I through III of part II of
20 chapter 329.



1 (c) Any person who violates this section shall be guilty
2 of a misdemeanor; provided that any person who violates this
3 section by [~~consuming~~]:

4 (1) Being under the influence of a controlled substance
5 shall be guilty of a class A felony;

6 (2) Knowingly possessing methamphetamine in any amount
7 shall be guilty of a class A felony; and

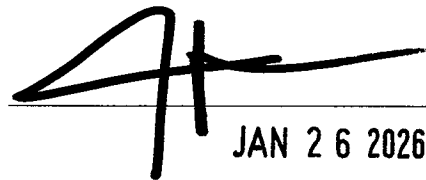
8 (3) Consuming or being under the influence of alcohol or
9 an intoxicating liquor shall be guilty of a petty
10 misdemeanor."

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. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 7. This Act shall take effect upon its approval.
17

INTRODUCED BY:



JAN 26 2026



H.B. NO. 2170

Report Title:

Firearms; Mandatory Minimum Term of Imprisonment; Class A Felony; Possession; Controlled Substance; Methamphetamine; TRO; Temporary Restraining Order; Protective Order; Court Order

Description:

Establishes mandatory minimum terms of imprisonment for certain class A felonies involving firearms. Changes from a class B felony to a class A felony the penalty for owning, possessing, or controlling any firearm or ammunition while being prosecuted for or having been convicted of committing a felony, a crime of violence, a criminal offense relating to firearms, or an illegal sale or distribution of any drug. Changes from a misdemeanor to a class A felony the penalty for ownership, possession, control, or transfer of ownership of any firearms or ammunition by a person who a court order has restrained from contacting, threatening, or physically abusing any person. Changes from a misdemeanor to a class A felony the penalty for carrying a firearm while under the influence of a controlled substance. Establishes possession of methamphetamine while carrying a firearm as a class A felony.

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