

JAN 23 2026

A BILL FOR AN ACT

RELATED 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 by adding a new definition to be appropriately inserted
3 and to read as follows:

4 "Firearm part" means any item specifically designed for or
5 adapted for use in a firearm, including the barrel, bolt, slide,
6 frame, receiver, trigger, hammer, sear, or cylinder."

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

9 "(a) Every resident or other person arriving in the State
10 who brings or by any other manner causes to be brought into the
11 State a firearm of any description, whether usable or unusable,
12 serviceable or unserviceable, modern or antique, shall register
13 and submit to physical inspection the firearm within five days
14 after arrival of the person or of the firearm, whichever arrives
15 later, with the chief of police of the county of the person's
16 place of business or, if there is no place of business, the
17 person's residence or, if there is neither a place of business



1 nor residence, the person's place of sojourn. A nonresident
2 alien may bring firearms not otherwise prohibited by law into
3 the State for a continuous period not to exceed ninety days;
4 provided that the person meets the registration requirement of
5 this section and the person possesses:

6 (1) A valid Hawaii hunting license procured under
7 chapter 183D, part II, or a commercial or private
8 shooting preserve permit issued pursuant to section
9 183D-34;

10 (2) A written document indicating the person has been
11 invited to the State to shoot on private land; or

12 (3) Written notification from a firing range or target
13 shooting business indicating that the person will
14 actually engage in target shooting.

15 The nonresident alien shall be limited to a nontransferable
16 registration of no more than ten firearms for the purpose of the
17 above activities.

18 Every person registering a firearm under this subsection
19 shall be fingerprinted and photographed by the police department
20 of the county of registration; provided that this requirement
21 shall be waived where fingerprints and photographs are already



1 on file with the police department. The police department shall
2 perform an inquiry on the person by using the International
3 Justice and Public Safety Network, including the United States
4 Immigration and Customs Enforcement query, the National Crime
5 Information Center, and the National Instant Criminal Background
6 Check System, pursuant to section 846-2.7 before any
7 determination to register a firearm is made. Any person
8 attempting to register a firearm, a firearm receiver, or the
9 parts used to assemble a firearm, and who is found to be
10 disqualified from ownership, possession, or control of firearms,
11 firearm parts, or ammunition under section 134-7, shall
12 surrender or dispose of all firearms, firearm parts, and
13 ammunition pursuant to section 134-7.3."

14 SECTION 3. Section 134-4, Hawaii Revised Statutes, is
15 amended by amending subsection (d) to read as follows:

16 "(d) No person shall intentionally, knowingly, or
17 recklessly lend a firearm, firearm part, or ammunition to any
18 person who is prohibited from ownership, possession, or control
19 of a firearm, firearm part, or ammunition under section 134-7."

20 SECTION 4. Section 134-7, Hawaii Revised Statutes, is
21 amended as follows:



1 1. By amending subsections (a) to (f) to read:

2 "(a) No person who is a fugitive from justice or
3 prohibited from possessing a firearm or ammunition under
4 title 18 United States Code section 922 or any other provision
5 of federal law shall own, possess, or control any firearm,
6 firearm part, or ammunition.

7 (b) No person who is being prosecuted for one or more
8 charges for a felony, a crime of violence, a criminal offense
9 relating to firearms, or an illegal sale or distribution of any
10 drug in a court in this State or elsewhere, or who has been
11 convicted in this State or elsewhere of having committed a
12 felony, a crime of violence, a criminal offense relating to
13 firearms, or an illegal sale or distribution of any drug shall
14 own, possess, or control any firearm, firearm part, or
15 ammunition.

16 (c) No person shall own, possess, or control any firearm,
17 firearm part, or ammunition if the person:

18 (1) Is or has been under treatment or counseling for
19 addiction to, abuse of, or dependence upon any
20 dangerous, harmful, or detrimental drug, intoxicating



- 1 compound as defined in section 712-1240, or
2 intoxicating liquor;
- 3 (2) Has been acquitted of a crime on the grounds of mental
4 disease, disorder, or defect pursuant to
5 section 704-411 or any similar provision under federal
6 law, or the law of another state, a United States
7 territory, or the District of Columbia;
- 8 (3) Is or has been diagnosed with or treated for a
9 medical, behavioral, psychological, emotional, or
10 mental condition or disorder that causes or is likely
11 to cause impairment in judgment, perception, or
12 impulse control to an extent that presents an
13 unreasonable risk to public health, safety, or welfare
14 if the person were in possession or control of a
15 firearm; or
- 16 (4) Has been adjudged to:
- 17 (A) Meet the criteria for involuntary hospitalization
18 under section 334-60.2; or
- 19 (B) Be an "incapacitated person", as defined in
20 section 560:5-102,



1 unless the person establishes, with appropriate medical
2 documentation, that the person is no longer adversely affected
3 by the criteria or statuses identified in this subsection.

4 (d) No person who is less than twenty-five years old and
5 has been adjudicated by the family court to have committed a
6 felony, a crime of violence, a criminal offense relating to
7 firearms, or an illegal sale or distribution of any drug shall
8 own, possess, or control any firearm, firearm part, or
9 ammunition.

10 (e) No minor shall own, possess, or control any firearm,
11 firearm part, or ammunition if the minor:

12 (1) Is or has been under treatment for addiction to any
13 dangerous, harmful, or detrimental drug, intoxicating
14 compound as defined in section 712-1240, or
15 intoxicating liquor;

16 (2) Is a fugitive from justice; or

17 (3) Has been determined not to have been responsible for a
18 criminal act or has been committed to any institution
19 on account of a mental disease, disorder, or defect,



1 unless the minor establishes, with appropriate medical
2 documentation, that the minor is no longer adversely affected by
3 the addiction, mental disease, disorder, or defect.

4 For the purposes of enforcing this section, and
5 notwithstanding section 571-84 or any other law to the contrary,
6 any agency within the State shall make its records relating to
7 family court adjudications available to law enforcement
8 officials.

9 (f) No person who has been restrained pursuant to an order
10 of any court, including a gun violence protective order issued
11 pursuant to part IV, from contacting, threatening, or physically
12 abusing any person, shall possess, control, or transfer
13 ownership of any firearm, firearm part, or ammunition, so long
14 as the protective order, restraining order, or any extension is
15 in effect. The protective order or restraining order shall
16 specifically include a statement that possession, control, or
17 transfer of ownership of a firearm, firearm part, or ammunition
18 by the person named in the order is prohibited. The person
19 shall relinquish possession and control of any firearm, firearm
20 part, and ammunition owned by that person to the police
21 department of the appropriate county for safekeeping for the



1 duration of the order or extension thereof. At the time of
2 service of a protective order or restraining order involving
3 firearms, firearm parts, and ammunition issued by any court, a
4 police officer may take custody of any and all firearms, firearm
5 parts, and ammunition in plain sight, those discovered pursuant
6 to a consensual search, and [~~these~~] firearms, firearm parts, and
7 ammunition surrendered by the person restrained. If the person
8 restrained is the registered owner of a firearm and knows the
9 location of the firearm, but refuses to surrender the firearm or
10 disclose the location of the firearm, the person restrained
11 shall be guilty of a misdemeanor. In any case, when a police
12 officer is unable to locate the firearms, firearm parts, and
13 ammunition either registered under this chapter or known to the
14 person granted protection by the court, the police officer shall
15 apply to the court for a search warrant pursuant to chapter 803
16 for the limited purpose of seizing the firearm, firearm part,
17 and ammunition."

18 2. By amending subsections (h) and (i) to read:

19 "(h) Any person disqualified from ownership, possession,
20 control, or the right to transfer ownership of firearms, firearm
21 parts, and ammunition under this section shall surrender or



1 dispose of all firearms, firearm parts, and ammunition in
2 compliance with section 134-7.3.

3 (i) Any person who otherwise would be prohibited under
4 subsection (b) from owning, possessing, or controlling a firearm
5 ~~[and]~~, firearm part, or ammunition solely as a result of a
6 conviction for a crime that is not a felony, and who is not
7 prohibited from owning, possessing, or controlling a firearm,
8 firearm part, or ammunition for any reason under any other
9 provision of this chapter or under title 18 United States Code
10 section 922 or another provision of federal law, shall not be
11 prohibited under this section from owning, possessing, or
12 controlling a firearm ~~[and]~~, firearm part, or ammunition if
13 twenty years have elapsed from the date of the conviction."

14 SECTION 5. Section 134-7.2, Hawaii Revised Statutes, is
15 amended by amending its title and subsection (a) to read as
16 follows:

17 "**§134-7.2 Prohibition against seizure of firearms, firearm**
18 **parts, or ammunition during emergency or disaster; suspension of**
19 **permit or license.** (a) Notwithstanding any provision of
20 chapter 127A or any other law to the contrary, no person or
21 government entity shall seize or confiscate, under any emergency



1 or disaster relief powers or functions conferred, or during any
2 emergency period, as defined in section 127A-2, or during any
3 time of national emergency or crisis, as defined in
4 section 134-34, any firearm, firearm part, or ammunition from
5 any individual who is lawfully permitted to carry or possess the
6 firearm, firearm part, or ammunition under part I of this
7 chapter and who carries, possesses, or uses the firearm, firearm
8 part, or ammunition in a lawful manner and in accordance with
9 the criminal laws of [~~this~~] the State."

10 SECTION 6. Section 134-7.3, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "**§134-7.3 Seizure of firearms, firearms parts, and**
13 **ammunition upon disqualification.** (a) If any applicant is
14 denied a permit, the chiefs of police of the respective counties
15 shall send, by certified mail, a notice setting forth the
16 reasons for the denial and may require that the applicant
17 voluntarily surrender all firearms, firearm parts, and
18 ammunition to the chief of police where the applicant resides or
19 dispose of all firearms, firearm parts, and ammunition. If an
20 applicant fails to voluntarily surrender or dispose of all
21 firearms, firearm parts, and ammunition within thirty days from



1 the date notice was mailed, the chief of police may seize all
2 firearms, firearm parts, and ammunition.

3 (b) Any person disqualified from ownership, possession, or
4 control of firearms, firearm parts, and ammunition under section
5 134-7 or part IV, within forty-eight hours of disqualification,
6 shall voluntarily surrender all firearms, firearm parts, and
7 ammunition to the chief of police where the person resides or
8 dispose of all firearms, firearm parts, and ammunition. If any
9 person fails to voluntarily surrender or dispose of all
10 firearms, firearm parts, and ammunition within forty-eight hours
11 from the date of disqualification, the chief of police may seize
12 all firearms, firearm parts, and ammunition.

13 (c) For any person disqualified from ownership,
14 possession, or control of firearms, firearm parts, and
15 ammunition under section 134-7(c), or because the person has
16 been admitted to a psychiatric facility, whether for emergency
17 or involuntary hospitalization, pursuant to part IV of
18 chapter 334, once the chief of police is notified that the
19 person is disqualified, the chief of police shall promptly issue
20 a notice to the disqualified person to immediately surrender all
21 firearms, firearm parts, and ammunition. The notice shall be in



1 writing, shall set forth the reasons for the disqualification,
2 and shall state the requirement that the person immediately
3 surrender all firearms, firearm parts, and ammunition to the
4 chief of police. If any person fails to voluntarily surrender
5 all firearms, firearm parts, and ammunition upon receiving
6 notice, the chief of police may seize all firearms, firearm
7 parts, and ammunition. The firearms, firearm parts, and
8 ammunition shall be held in police custody until the person has
9 been medically documented to be no longer adversely affected as
10 provided in section 134-7 or until transferred or sold by the
11 owner. Nothing in this subsection shall be construed to limit
12 the duties imposed by subsection (b).

13 (d) For the purposes of this section, "dispose" means
14 selling the firearms, firearm parts, or ammunition to a gun
15 dealer licensed under section 134-31, transferring ownership of
16 the firearms, firearm parts, or ammunition to any person who
17 meets the requirements of section 134-2, or surrendering all
18 firearms, firearm parts, or ammunition to the chief of police
19 where the person resides for storage or disposal; provided that,
20 for a person subject to section 134-7(f) or part IV, "dispose"
21 shall not include transferring ownership of the firearms,



1 firearm parts, or ammunition to any person who meets the
2 requirements of section 134-2.

3 (e) The [~~chief~~] chiefs of police of the respective
4 counties shall adopt procedures to implement and administer the
5 provisions of this section by December 31, [~~2001-~~] 2026."

6 SECTION 7. Section 134-7.5, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "[~~§~~134-7.5[~~§~~] Seizure of firearms, firearm parts, and
9 ammunition in domestic abuse situations; requirements; return
10 of. (a) Any police officer who has reasonable grounds to
11 believe that a person has recently assaulted or threatened to
12 assault a family or household member may seize all firearms,
13 firearm parts, and ammunition that the police officer has
14 reasonable grounds to believe were used or threatened to be used
15 in the commission of the offense. The police officer may seize
16 any firearms, firearm parts, or ammunition that are in plain
17 view of the officer or were discovered pursuant to a consensual
18 search, as necessary for the protection of the officer or any
19 family or household member. Firearms, firearm parts, and
20 ammunition seized under this section shall be taken to the



1 appropriate county police department for safekeeping or as
2 evidence.

3 (b) Upon taking possession of a firearm, firearm part, or
4 ammunition, the officer shall give the owner or person who was
5 in lawful possession of the firearm, firearm part, or ammunition
6 a receipt identifying the firearm, firearm part, or ammunition
7 and indicating where the firearm, firearm part, or ammunition
8 can be recovered.

9 (c) The officer taking possession of the firearm, firearm
10 part, or ammunition shall notify the person against whom the
11 alleged assault or threatened assault was inflicted of remedies
12 and services available to victims of domestic violence,
13 including the right to apply for a domestic abuse restraining
14 order.

15 (d) The firearm, firearm part, or ammunition shall be made
16 available to the owner or person who was in lawful possession of
17 the firearm, firearm part, or ammunition within seven working
18 days after the seizure when:

19 (1) The firearm, firearm part, or ammunition are not
20 retained for use as evidence;



- 1 (2) The firearm, firearm part, or ammunition are not
2 retained because they are possessed illegally;
- 3 (3) The owner or person who has lawful possession of the
4 firearm, firearm part, or ammunition is not restrained
5 by an order of any court from possessing a firearm,
6 firearm part, or ammunition; and
- 7 (4) No criminal charges are pending against the owner or
8 person who has lawful possession of the firearm,
9 firearm part, or ammunition when a restraining order
10 has already issued."

11 SECTION 8. Section 806-11, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "**§806-11 Disposal of firearms[-], firearm parts, and**
14 ammunition. (a) At the time of arraignment, the court shall
15 order a defendant who is under indictment for, or who has waived
16 indictment for, or who has been bound over to the circuit court
17 for a felony, or any crime of violence, or an illegal sale of
18 any drug, to dispose of all firearms, firearm parts, and
19 ammunition within the defendant's possession in a manner in
20 compliance with the provisions of chapter 134 and shall inform
21 the defendant of the provisions of section 134-7(b) and



1 section 134-12.5. The defendant shall comply with an order
2 issued pursuant to this section within forty-eight hours of the
3 issuance of such order. A defendant's compliance with the
4 forty-eight hour requirement of this section shall not give rise
5 to a prosecution for violations of sections 134-2, 134-3
6 or 134-4.

7 (b) The court shall immediately notify the chief of police
8 of the county where the defendant resides that the defendant has
9 been ordered to voluntarily surrender all firearms, firearm
10 parts, and ammunition to the chief of police or dispose of all
11 firearms, firearm parts, and ammunition within the defendant's
12 possession.

13 (c) If the defendant fails to voluntarily surrender all
14 firearms, firearm parts, and ammunition to the chief of police
15 where the defendant resides or dispose of the firearms, firearm
16 parts, and ammunition within forty-eight hours of the issuance
17 of the order, the chief of police may seize all firearms,
18 firearm parts, and ammunition.

19 (d) For the purposes of this section, "dispose" shall have
20 the same meaning as provided in section 134-7.3."



S.B. NO. 2815

1 SECTION 9. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 10. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 11. This Act shall take effect upon its approval.

7

INTRODUCED BY: _____

Stephnik



S.B. NO. 2815

Report Title:

Firearms; Firearm Parts; Ammunition; Felony Restrictions

Description:

Extends to firearm parts and ammunition certain prohibitions relating to the possession, ownership, or control of firearms and ammunition.

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