

JAN 28 2026

A BILL FOR AN ACT

RELATING TO DETACHABLE AMMUNITION MAGAZINES.

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

1 SECTION 1. Section 134-8, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "§134-8 Ownership, etc., of automatic firearms, silencers,
4 detachable ammunition magazines, etc., prohibited; penalties.
5 (a) The manufacture, possession, sale, barter, trade, gift,
6 transfer, or acquisition of any of the following shall be
7 prohibited: assault pistols, except as provided by section
8 134-4(e); automatic firearms; rifles with barrel lengths less
9 than sixteen inches; ghost guns; shotguns with barrel lengths
10 less than eighteen inches; cannons; mufflers, silencers, or
11 devices for deadening or muffling the sound of discharged
12 firearms; hand grenades, dynamite, blasting caps, bombs, or
13 bombshells, or other explosives; or any type of ammunition or
14 any projectile component thereof coated with teflon or any other
15 similar coating designed primarily to enhance its capability to
16 penetrate metal or pierce protective armor; and any type of



1 ammunition or any projectile component thereof designed or
2 intended to explode or segment upon impact with its target.

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

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

16 (d) The use of a detachable ammunition magazine possessing
17 a capacity in excess of fifty rounds with any firearm, except a
18 pistol, shall be prohibited; provided that the use of a
19 detachable ammunition magazine with a pistol shall be in
20 accordance with subsection (c); provided further that this



1 subsection shall not apply to ammunition magazines originally
2 designed to accept more than fifty rounds of ammunition that:

- 3 (1) Have been modified to have a capacity of less than
4 fifty rounds; and
5 (2) Are not capable of being readily restored to a
6 capacity in excess of fifty rounds.

7 [~~(d)~~] (e) Any person violating subsection (a) or (b) shall
8 be guilty of a class C felony and shall be imprisoned for a term
9 of five years without probation. Any person violating
10 subsection (c) or (d) shall be guilty of a misdemeanor except
11 when a detachable magazine prohibited under this section is
12 possessed while inserted into a pistol or other firearm, as the
13 case may be, in which case the person shall be guilty of a class
14 C felony.

15 [~~(e)~~] (f) In any prosecution for the manufacture,
16 possession, sale, barter, trade, gift, transfer, or acquisition
17 of a ghost gun, it shall be an affirmative defense that the
18 person holds a current license to sell and manufacture firearms
19 for sale under section 134-31, or that the person is a dealer
20 licensed by the United States Department of Justice, or that the



1 firearm is not required to have a serial number under the
2 federal Gun Control Act of 1968."

3 SECTION 2. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 3. This Act shall take effect upon its approval.

6

INTRODUCED BY: Karl Rhoek



S.B. NO. 3212

Report Title:

Firearms; Detachable Magazines

Description:

Prohibits the use of a detachable ammunition magazine with over a fifty-round capacity with any firearm other than a pistol with exceptions.

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