THE SENATE
THIRTY-THIRD LEGISLATURE, 2026
STATE OF HAWAII

JAN 23 2026

S.B. NO. 2815

A BILL FOR AN ACT

RELATED TO FIREARMS.

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

SECTION 1. Section 134-1, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

compound as defined in section 712-1240, or intoxicating liquor;

(2) Has been acquitted of a crime on the grounds of mental disease, disorder, or defect pursuant to section 704-411 or any similar provision under federal law, or the law of another state, a United States territory, or the District of Columbia;

(3) Is or has been diagnosed with or treated for a medical, behavioral, psychological, emotional, or mental condition or disorder that causes or is likely to cause impairment in judgment, perception, or impulse control to an extent that presents an unreasonable risk to public health, safety, or welfare if the person were in possession or control of a firearm; or

(4) Has been adjudged to:

(A) Meet the criteria for involuntary hospitalization under section 334-60.2; or

(B) Be an "incapacitated person", as defined in section 560:5-102,

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

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

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

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

(2) Is a fugitive from justice; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

appropriate county police department for safekeeping or as evidence.

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

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

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

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

(2) The firearm, firearm part, or ammunition are not retained because they are possessed illegally;

(3) The owner or person who has lawful possession of the firearm, firearm part, or ammunition is not restrained by an order of any court from possessing a firearm, firearm part, or ammunition; and

(4) No criminal charges are pending against the owner or person who has lawful possession of the firearm, firearm part, or ammunition when a restraining order has already issued."

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

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

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

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

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

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

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

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

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

INTRODUCED BY: _____

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.

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