

A Bill for an Act Relating to a Firearms and Dangerous Weapons Control Act.
Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 134-7, Hawaii Revised Statutes, is hereby amended to read as follows:

“Section 134-7 Ownership or possession by fugitive from justice or by person convicted of certain crimes prohibited; penalty.

(a) No person who is a fugitive from justice shall own or have in his possession or under his control any firearm or ammunition therefor. As used in this section the term ‘fugitive from justice’ means any person who has fled from any state, territory, the District of Columbia, or possession of the United States to avoid prosecution for a felony or to avoid giving testimony in any criminal proceeding.

(b) No person who has been convicted in this State or elsewhere of having committed a felony or of the illegal use and possession or sale of any drug shall own or have in his possession or under his control any firearm or ammunition therefor.

(c) Any person violating this section or section 134-6 shall be imprisoned for a term of not less than one year nor more than two years without probation.”

SECTION 2. Section 134-8, Hawaii Revised Statutes, is hereby amended to read as follows:

“Section 134-8 Ownership, etc., of machine guns, automatic rifles, silencers, etc., prohibited; penalty. The manufacture, possession, sale, barter, trade, gift, transfer, or acquisition of any machine guns, submachine guns, automatic rifles, or rifles with barrel lengths less than 16 inches or shotguns with barrel length less than 18 inches, cannon, mufflers, silencers, or devices for deadening or muffling the sound of discharged firearms, or any hand grenade, dynamite or other explosives, blasting caps, bombs or bombshell is prohibited. Any person violating this section shall be imprisoned for a term of not less than two years nor more than five years, without probation.”

SECTION 3. The last paragraph of section 134-9, Hawaii Revised Statutes, is hereby amended to read as follows:

“Any person violating this section shall be imprisoned for a term of not less than two years nor more than five years, without probation.”

SECTION 4. The last sentence of section 134-10, Hawaii Revised Statutes, is hereby amended to read as follows:

“Any person who violates this section shall be imprisoned for a term of not less than one year nor more than two years, without probation.”

SECTION 5. Section 724-3, Hawaii Revised Statutes is hereby amended to read as follows:

“Section 724-3 Aggravated offenses. Whoever commits an assault or a battery

- (1) With any firearm or other weapon obviously and imminently dangerous to life, or
- (2) With intent to maim or disfigure another, or
- (3) With intent to commit any felony, or
- (4) While preparing to commit, while in the process of committing, or while leaving or fleeing the scene of the commission of, any felony, shall be imprisoned at hard labor for a term of not less than two years nor more than five years, without probation.”

SECTION 6. If any provision of this Act, or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

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

(Approved May 24, 1971.)