
A BILL FOR AN ACT

RELATING 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 two new definitions to be appropriately
3 inserted and to read as follows:

4 ".50 BMG Rifle" means a center fire rifle that can fire a
5 .50 BMG cartridge and is not an automatic firearm. However, a
6 ".50 BMG rifle" does not include any antique firearm nor any
7 curio or relic as those terms are used in 18 United States Code
8 §921(16) or 27 Code of Federal Regulations 178.11.

9 ".50 BMG cartridge" means a cartridge that includes ball,
10 tracer, incendiary, armor piercing, armor piercing incendiary,
11 armor piercing incendiary tracer, or sabotaged light armor
12 penetrator and is designed and intended to be fired from a
13 center fire rifle and that meets all of the following criteria:

14 (1) An overall length of 5.54 inches from base to the tip
15 of the bullet;

16 (2) The bullet diameter for the cartridge is from .510 to,
17 and including, .511, inches;



- 1 (3) The case base diameter for the cartridge is from .800
- 2 inches to, and including, .804 inches; and
- 3 (4) A cartridge case length of 3.91 inches."

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

6 "**§134-8 Ownership, etc., of automatic firearms, silencers,**
7 **etc., prohibited; penalties.** (a) The manufacture, possession,
8 sale, barter, trade, gift, transfer, or acquisition of any of
9 the following is prohibited: assault pistols, except as
10 provided by section 134-4(e); automatic firearms; rifles with
11 barrel lengths less than sixteen inches; shotguns with barrel
12 lengths less than eighteen inches; cannons; mufflers, silencers,
13 or devices for deadening or muffling the sound of discharged
14 firearms; hand grenades, dynamite, blasting caps, bombs, or
15 bombshells, or other explosives; or any type of ammunition or
16 any projectile component thereof coated with teflon or any other
17 similar coating designed primarily to enhance its capability to
18 penetrate metal or pierce protective armor; and any type of
19 ammunition or any projectile component thereof designed or
20 intended to explode or segment upon impact with its target.

21 (b) Any person who installs, removes, or alters a firearm
22 part with the intent to convert the firearm to an automatic



1 firearm shall be deemed to have manufactured an automatic
2 firearm in violation of subsection (a).

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

12 (d) After July 1, 2006, no person shall bring or cause to
13 be brought into the State a .50 BMG rifle or .50 BMG cartridge.
14 No .50 BMG rifle or .50 BMG cartridge may be sold or transferred
15 on or after July 1, 2006, to anyone within the State other than
16 a dealer licensed under section 134-32 or the chief of police of
17 any county, except that any person who obtains title by bequest
18 or intestate succession to a .50 BMG rifle registered within the
19 State shall, within sixty days, render the weapon permanently
20 inoperable, sell or transfer the weapon to a licensed dealer or
21 the chief of police of any county, or remove the weapon from the
22 State.



1 (e) Except as provided by this section, the manufacture,
2 possession, sale, barter, trade, gift, transfer, or acquisition
3 of any .50 BMG rifle or .50 BMG cartridge is prohibited. This
4 includes the following types of ammunition: ball, tracer,
5 incendiary, armor piercing, armor piercing incendiary, armor
6 piercing incendiary tracer, or sabotaged light armor penetrator.

7 [~~(d)~~] (f) 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) shall be guilty of a misdemeanor except when a
11 detachable magazine prohibited under this section is possessed
12 while inserted into a pistol in which case the person shall be
13 guilty of a class C felony. Any person violating subsection (d)
14 or (e) shall be guilty of a class B felony and shall be
15 imprisoned for a term of ten years without probation."

16 SECTION 3. This Act does not affect rights and duties that
17 matured, penalties that were incurred, and proceedings that were
18 begun, before its effective date.

19 SECTION 4. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



H.B. NO. 3015

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

2

INTRODUCED BY: _____



JAN 25 2006



Report Title:
Automatic Firearms

HB 3015

Description:

Prohibits importation, manufacture, possession, sale, barter, trade, gift, transfer, or acquisition of any .50 BMG rifle or .50 BMG cartridge.

