
A BILL FOR AN ACT

RELATING TO FIREARMS AMMUNITION.

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

1 SECTION 1. The legislature finds that requiring firearms
2 permits is an effective way of minimizing unlawful possession
3 and use of firearms. The legislature further finds that the
4 ammunition used in firearms is what renders firearms dangerous,
5 yet there are few state regulations with regards to the sale of
6 ammunition. Specifically, Hawaii does not require a license for
7 the sale of ammunition, nor does it require a permit to purchase
8 or possess ammunition. The legislature finds that this
9 oversight can be addressed by requiring:

- 10 (1) Licensure of sellers of ammunition; and
11 (2) Gun owners to show their firearms registrations and
12 identification when purchasing ammunition for the
13 permitted firearms.

14 SECTION 2. Chapter 134, Hawaii Revised Statutes, is
15 amended by adding a new section to be appropriately designated
16 and to read as follows:



1 "§134- Ammunition purchase; proof of registration;
2 exception. (a) No person shall sell ammunition or shell
3 casings for any firearm unless the purchaser first demonstrates
4 that the purchaser:

5 (1) Is the registered owner of the firearm for which the
6 ammunition or shell casings are to be purchased; or
7 (2) Has been designated by the registered owner of the
8 firearm as an alternate for ammunition purchases on
9 the registration pursuant to section 134-3.

10 Presentation to the seller of the registration issued pursuant
11 to section 134-3, together with government-issued photographic
12 identification, such as a driver's license, a civil
13 identification card issued pursuant to part XVI of chapter 286,
14 a military identification card, or a United States passport,
15 shall be sufficient to demonstrate that the purchaser is the
16 registered owner of the firearm for which the ammunition is to
17 be purchased. For on-line purchases, a scanned copy of the
18 registration and identification shall be sufficient for
19 compliance with this section. For the purposes of this section,
20 the chief of police of each county may provide duplicates of the



1 registration document or the same information in a format to be
2 determined by the chief of police of each county.

3 (b) Violation of this section is a petty misdemeanor.

4 (c) This section shall not apply to ammunition purchases:

5 (1) For firearms manufactured before 1899;

6 (2) By persons described in section 134-11; and

7 (3) By persons, including nonresident aliens, from a
8 firing range business or target shooting business;
9 provided that a person shall not remove ammunition
10 from the premises of the firing range business or
11 target shooting business."

12 SECTION 3. Section 134-3, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "§134-3 Registration, mandatory, exceptions. (a) Every
15 person arriving in the State who brings or by any other manner
16 causes to be brought into the State a firearm of any
17 description, whether usable or unusable, serviceable or
18 unserviceable, modern or antique, shall register the firearm
19 within five days after arrival of the person or of the firearm,
20 whichever arrives later, with the chief of police of the county
21 of the person's place of business or, if there is no place of



1 business, the person's residence or, if there is neither a place
2 of business nor residence, the person's place of sojourn. A
3 nonresident alien may bring firearms not otherwise prohibited by
4 law into the State for a continuous period not to exceed ninety
5 days; provided that the person meets the registration
6 requirement of this section and the person possesses:

- 7 (1) A valid Hawaii hunting license procured under chapter
8 183D, part II, or a commercial or private shooting
9 preserve permit issued pursuant to section 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 not more than ten firearms for the purpose of
17 the 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.

8 (b) Every person who acquires a firearm pursuant to
9 section 134-2 shall register the firearm in the manner
10 prescribed by this section within five days of acquisition. The
11 registration shall be on forms prescribed by the attorney
12 general, which shall be uniform throughout the State, and shall
13 include the following information: name of the manufacturer and
14 importer; model; type of action; caliber or gauge; serial
15 number; and source from which receipt was obtained, including
16 the name and address of the prior registrant. The registration
17 form shall also include a place for the registrant to designate
18 an alternate person authorized to purchase ammunition. If the
19 firearm has no serial number, the permit number shall be entered
20 in the space provided for the serial number, and the permit
21 number shall be engraved upon the receiver portion of the



1 firearm before registration. All registration data that would
2 identify the individual registering the firearm by name or
3 address shall be confidential and shall not be disclosed to
4 anyone, except as may be required:

5 (1) For processing the registration;

6 (2) For database management by the Hawaii criminal justice
7 data center;

8 (3) By a law enforcement agency for the lawful performance
9 of its duties; or

10 (4) By order of a court.

11 (c) Dealers licensed under section 134-31 or dealers
12 licensed by the United States Department of Justice shall
13 register firearms pursuant to this section on registration forms
14 prescribed by the attorney general and shall not be required to
15 have the firearms physically inspected by the chief of police at
16 the time of registration.

17 (d) Registration shall not be required for:

18 (1) Any device that is designed to fire loose black powder
19 or that is a firearm manufactured before 1899;

20 (2) Any device not designed to fire or made incapable of
21 being readily restored to a firing condition; or



1 (3) All unserviceable firearms and destructive devices
2 registered with the Bureau of Alcohol, Tobacco, [~~and~~]
3 Firearms and Explosives of the United States
4 Department of Justice pursuant to Title 27, Code of
5 Federal Regulations.

6 (e) No fee shall be charged for the registration of a
7 firearm under this section, except for a fee chargeable by and
8 payable to the registering county for persons registering a
9 firearm under subsection (a), in an amount equal to the fee
10 charged by the Hawaii criminal justice data center pursuant to
11 section 846-2.7. In the case of a joint registration, the fee
12 provided for in this section may be charged to each person.

13 (f) A registered owner of a firearm may designate on the
14 firearm registration an alternate person to be authorized to
15 purchase ammunition. The alternate person may be issued a
16 permit to purchase ammunition for the registered firearm. The
17 alternate person shall not be a person prohibited from ownership
18 or possession of a firearm under section 134-7. The alternate
19 person shall have completed a similar background check and
20 fingerprinting as is required for obtaining a permit under



1 section 134-2. A permit to purchase ammunition under this
2 subsection shall not last longer than three years.

3 (g) A registered owner of a firearm may be issued a permit
4 to purchase ammunition of a caliber that is not the caliber
5 listed on the registered firearm by demonstrating to the police
6 department in the registering county that the firearm is capable
7 of firing a caliber of ammunition that is not the caliber listed
8 on the registration of the firearm. This permit shall designate
9 which caliber of ammunition the firearm is capable of firing.
10 The registered owner of the firearm or their alternate person
11 designated under subsection (f) may purchase ammunition,
12 pursuant to section 134- , that is the caliber designated
13 under this subsection. A permit to purchase ammunition of a
14 caliber that is not the caliber listed on the registration of
15 the registered firearm under this subsection shall not last
16 longer than three years.

17 [~~f~~] (h) No person less than twenty-one years of age
18 shall bring or cause to be brought into the State any firearm."

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

21 1. By amending the title to read:



1 "§134-4 Transfer, possession of firearms [~~-~~] and
2 ammunition."

3 2. By amending subsection (b) to read:

4 "(b) No person shall possess any firearm or ammunition
5 that is owned by another, regardless of whether the owner has
6 consented to possession of the firearm[~~-~~] or ammunition
7 therefor, without a permit from the chief of police of the
8 appropriate county, except as provided in subsection (c) and
9 section 134-5."

10 3. By amending subsection (d) to read:

11 "(d) No person shall knowingly lend a firearm or transfer
12 ammunition to any person who is prohibited from ownership or
13 possession of a firearm under section 134-7."

14 SECTION 5. Section 134-31, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "§134-31 License to sell and manufacture firearms [~~-~~] and
17 ammunition; fee. Any person desiring to engage in the business
18 to sell and manufacture firearms or ammunition for sale in the
19 State either at wholesale or retail, shall annually file an
20 application for a license therefor with the director of finance
21 of each county of the State. The annual fee for the issuance of



1 such license shall be \$10 and shall be payable to said director
2 of finance. A license issued hereunder shall expire on June 30
3 next following the date of issuance of the license unless sooner
4 terminated. Application for renewal of license shall be filed
5 on or before June 30 of each year."

6 SECTION 6. Section 134-32, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "§134-32 License to sell and manufacture firearms [✓] and
9 ammunition; conditions. Every license issued pursuant to this
10 part shall be issued and shall be regarded as having been
11 accepted by the licensee subject to the following conditions:

12 (1) That the licensee at all times shall comply with all
13 provisions of law relative to the sale of firearms [✓]
14 and ammunition;

15 (2) That the license during any time of national emergency
16 or crisis, as defined in section 134-34, may be
17 canceled or suspended [✓];

18 (3) That all firearms or ammunition in the possession and
19 control of any licensee at any time of national
20 emergency or crisis, as defined in section 134-34, may
21 be seized and held in possession or purchased by or on



1 the order of the governor until such time as the
2 national emergency or crisis has passed, or until such
3 time as the licensee and the government of the United
4 States or the government of the State may agree upon
5 some other disposition of the same[-];

6 (4) That all firearms or ammunition in the possession and
7 control of the licensee or registered pursuant to
8 section 134-3(c) by the licensee shall be subject to
9 physical inspection by the chief of police of each
10 county during normal business hours at the licensee's
11 place of business[-]; and

12 (5) That the license may be revoked for a violation of any
13 of the conditions of this section."

14 SECTION 7. Section 134-33, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "§134-33 Punishment for violations of section 134-32. Any
17 person who manufactures or sells any firearms or ammunition
18 within the State without having a valid license so to do, or who
19 being a holder of a license violates any of the terms or
20 conditions of the same, shall be fined no less than \$100 nor
21 more than \$1,000 or imprisoned no less than three months nor



1 more than one year[-]; provided that this section does not apply
2 to registered owners of firearms who manufacture their own
3 ammunition for personal use for the firearms registered in their
4 name."

5 SECTION 8. Section 846-2.7, Hawaii Revised Statutes, is
6 amended by amending subsection (b) to read as follows:

7 "(b) Criminal history record checks may be conducted by:

8 (1) The department of health or its designee on operators
9 of adult foster homes for individuals with
10 developmental disabilities or developmental
11 disabilities domiciliary homes and their employees, as
12 provided by section 321-15.2;

13 (2) The department of health or its designee on
14 prospective employees, persons seeking to serve as
15 providers, or subcontractors in positions that place
16 them in direct contact with clients when providing
17 non-witnessed direct mental health or health care
18 services as provided by section 321-171.5;

19 (3) The department of health or its designee on all
20 applicants for licensure or certification for,
21 operators for, prospective employees, adult



- 1 volunteers, and all adults, except adults in care, at
2 healthcare facilities as defined in section 321-15.2;
- 3 (4) The department of education on employees, prospective
4 employees, and teacher trainees in any public school
5 in positions that necessitate close proximity to
6 children as provided by section 302A-601.5;
- 7 (5) The counties on employees and prospective employees
8 who may be in positions that place them in close
9 proximity to children in recreation or child care
10 programs and services;
- 11 (6) The county liquor commissions on applicants for liquor
12 licenses as provided by section 281-53.5;
- 13 (7) The county liquor commissions on employees and
14 prospective employees involved in liquor
15 administration, law enforcement, and liquor control
16 investigations;
- 17 (8) The department of human services on operators and
18 employees of child caring institutions, child placing
19 organizations, and foster boarding homes as provided
20 by section 346-17;



- 1 (9) The department of human services on prospective
2 adoptive parents as established under section
3 346-19.7;
- 4 (10) The department of human services or its designee on
5 applicants to operate child care facilities, household
6 members of the applicant, prospective employees of the
7 applicant, and new employees and household members of
8 the provider after registration or licensure as
9 provided by section 346-154, and persons subject to
10 section 346-152.5;
- 11 (11) The department of human services on persons exempt
12 pursuant to section 346-152 to be eligible to provide
13 child care and receive child care subsidies as
14 provided by section 346-152.5;
- 15 (12) The department of health on operators and employees of
16 home and community-based case management agencies and
17 operators and other adults, except for adults in care,
18 residing in community care foster family homes as
19 provided by section 321-15.2;



- 1 (13) The department of human services on staff members of
2 the Hawaii youth correctional facility as provided by
3 section 352-5.5;
- 4 (14) The department of human services on employees,
5 prospective employees, and volunteers of contracted
6 providers and subcontractors in positions that place
7 them in close proximity to youth when providing
8 services on behalf of the office or the Hawaii youth
9 correctional facility as provided by section 352D-4.3;
- 10 (15) The judiciary on employees and applicants at detention
11 and shelter facilities as provided by section 571-34;
- 12 (16) The department of public safety on employees and
13 prospective employees who are directly involved with
14 the treatment and care of persons committed to a
15 correctional facility or who possess police powers
16 including the power of arrest as provided by section
17 353C-5;
- 18 (17) The board of private detectives and guards on
19 applicants for private detective or private guard
20 licensure as provided by section 463-9;



- 1 (18) Private schools and designated organizations on
2 employees and prospective employees who may be in
3 positions that necessitate close proximity to
4 children; provided that private schools and designated
5 organizations receive only indications of the states
6 from which the national criminal history record
7 information was provided pursuant to section 302C-1;
- 8 (19) The public library system on employees and prospective
9 employees whose positions place them in close
10 proximity to children as provided by section
11 302A-601.5;
- 12 (20) The State or any of its branches, political
13 subdivisions, or agencies on applicants and employees
14 holding a position that has the same type of contact
15 with children, vulnerable adults, or persons committed
16 to a correctional facility as other public employees
17 who hold positions that are authorized by law to
18 require criminal history record checks as a condition
19 of employment as provided by section 78-2.7;
- 20 (21) The department of health on licensed adult day care
21 center operators, employees, new employees,



1 subcontracted service providers and their employees,
2 and adult volunteers as provided by section 321-15.2;

3 (22) The department of human services on purchase of
4 service contracted and subcontracted service providers
5 and their employees serving clients of the adult
6 protective and community services branch, as provided
7 by section 346-97;

8 (23) The department of human services on foster grandparent
9 program, senior companion program, and respite
10 companion program participants as provided by section
11 346-97;

12 (24) The department of human services on contracted and
13 subcontracted service providers and their current and
14 prospective employees that provide home and community-
15 based services under section 1915(c) of the Social
16 Security Act, title 42 United States Code section
17 1396n(c), or under any other applicable section or
18 sections of the Social Security Act for the purposes
19 of providing home and community-based services, as
20 provided by section 346-97;



- 1 (25) The department of commerce and consumer affairs on
2 proposed directors and executive officers of a bank,
3 savings bank, savings and loan association, trust
4 company, and depository financial services loan
5 company as provided by section 412:3-201;
- 6 (26) The department of commerce and consumer affairs on
7 proposed directors and executive officers of a
8 nondepository financial services loan company as
9 provided by section 412:3-301;
- 10 (27) The department of commerce and consumer affairs on the
11 original chartering applicants and proposed executive
12 officers of a credit union as provided by section
13 412:10-103;
- 14 (28) The department of commerce and consumer affairs on:
- 15 (A) Each principal of every non-corporate applicant
16 for a money transmitter license;
- 17 (B) Each person who upon approval of an application
18 by a corporate applicant for a money transmitter
19 license will be a principal of the licensee; and
- 20 (C) Each person who upon approval of an application
21 requesting approval of a proposed change in



1 control of licensee will be a principal of the
2 licensee,

3 as provided by sections 489D-9 and 489D-15;

4 (29) The department of commerce and consumer affairs on
5 applicants for licensure and persons licensed under
6 title 24;

7 (30) The Hawaii health systems corporation on:

8 (A) Employees;

9 (B) Applicants seeking employment;

10 (C) Current or prospective members of the corporation
11 board or regional system board; or

12 (D) Current or prospective volunteers, providers, or
13 contractors,

14 in any of the corporation's health facilities as
15 provided by section 323F-5.5;

16 (31) The department of commerce and consumer affairs on:

17 (A) An applicant for a mortgage loan originator
18 license, or license renewal; and

19 (B) Each control person, executive officer, director,
20 general partner, and managing member of an



1 applicant for a mortgage loan originator company
2 license or license renewal,
3 as provided by chapter 454F;

4 (32) The state public charter school commission or public
5 charter schools on employees, teacher trainees,
6 prospective employees, and prospective teacher
7 trainees in any public charter school for any position
8 that places them in close proximity to children, as
9 provided in section 302D-33;

10 (33) The counties on prospective employees who work with
11 children, vulnerable adults, or senior citizens in
12 community-based programs;

13 (34) The counties on prospective employees for fire
14 department positions which involve contact with
15 children or vulnerable adults;

16 (35) The counties on prospective employees for emergency
17 medical services positions which involve contact with
18 children or vulnerable adults;

19 (36) The counties on prospective employees for emergency
20 management positions and community volunteers whose
21 responsibilities involve planning and executing



- 1 homeland security measures including viewing,
2 handling, and engaging in law enforcement or
3 classified meetings and assisting vulnerable citizens
4 during emergencies or crises;
- 5 (37) The State and counties on employees, prospective
6 employees, volunteers, and contractors whose position
7 responsibilities require unescorted access to secured
8 areas and equipment related to a traffic management
9 center;
- 10 (38) The State and counties on employees and prospective
11 employees whose positions involve the handling or use
12 of firearms for other than law enforcement purposes;
- 13 (39) The State and counties on current and prospective
14 systems analysts and others involved in an agency's
15 information technology operation whose position
16 responsibilities provide them with access to
17 proprietary, confidential, or sensitive information;
- 18 (40) The department of commerce and consumer affairs on:
19 (A) Applicants for real estate appraiser licensure or
20 certification as provided by chapter 466K;



- 1 (B) Each person who owns more than ten per cent of an
2 appraisal management company who is applying for
3 registration as an appraisal management company,
4 as provided by section 466L-7; and
- 5 (C) Each of the controlling persons of an applicant
6 for registration as an appraisal management
7 company, as provided by section 466L-7;
- 8 (41) The department of health or its designee on all
9 license applicants, licensees, employees, contractors,
10 and prospective employees of medical cannabis
11 dispensaries, and individuals permitted to enter and
12 remain in medical cannabis dispensary facilities as
13 provided under sections 329D-15(a)(4) and
14 329D-16(a)(3);
- 15 (42) The department of commerce and consumer affairs on
16 applicants for nurse licensure or license renewal,
17 reactivation, or restoration as provided by sections
18 457-7, 457-8, 457-8.5, and 457-9;
- 19 (43) The county police departments on [applicants]:
20 (A) Applicants for permits to acquire firearms
21 pursuant to section 134-2_i; and ~~[on individuals]~~



- 1 (B) Individuals registering their firearms and
2 designated alternate persons authorized to
3 purchase ammunition pursuant to section 134-3;
- 4 (44) The department of commerce and consumer affairs on:
- 5 (A) Each of the controlling persons of the applicant
6 for licensure as an escrow depository, and each
7 of the officers, directors, and principals who
8 will be in charge of the escrow depository's
9 activities upon licensure; and
- 10 (B) Each of the controlling persons of an applicant
11 for proposed change in control of an escrow
12 depository licensee, and each of the officers,
13 directors, and principals who will be in charge
14 of the licensee's activities upon approval of
15 such application,
- 16 as provided by chapter 449;
- 17 (45) The department of taxation on current or prospective
18 employees or contractors who have access to federal
19 tax information in order to comply with requirements
20 of federal law, regulation, or procedure, as provided
21 by section 231-1.6;



- 1 (46) The department of labor and industrial relations on
2 current or prospective employees or contractors who
3 have access to federal tax information in order to
4 comply with requirements of federal law, regulation,
5 or procedure, as provided by section 383-110;
- 6 (47) The department of human services on current or
7 prospective employees or contractors who have access
8 to federal tax information in order to comply with
9 requirements of federal law, regulation, or procedure,
10 as provided by section 346-2.5;
- 11 (48) The child support enforcement agency on current or
12 prospective employees, or contractors who have access
13 to federal tax information in order to comply with
14 federal law, regulation, or procedure, as provided by
15 section 576D-11.5; and
- 16 (49) Any other organization, entity, or the State, its
17 branches, political subdivisions, or agencies as may
18 be authorized by state law."



1 SECTION 9. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 10. This Act shall take effect on July 1, 2050.



Report Title:

Ammunition; Purchase; License to Sell

Description:

Requires the licensing of sellers of ammunition, and for the identification and proper permitting of purchasers or possessors of ammunition. Regulates ammunition in the same manner that firearms are regulated. Takes effect on 7/1/2050. (HD1)

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

