

JAN 24 2019

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# A BILL FOR AN ACT

RELATED TO FIREARMS.

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

1           SECTION 1. The legislature finds that the State has some  
2 of the strongest gun safety laws in the nation, and in 2016  
3 Hawai'i received an A-minus rating from the Giffords Law Center  
4 to Prevent Gun Violence. Additionally, Hawai'i had the lowest  
5 number of gun deaths per capita among the states in 2017,  
6 according to the Centers for Disease Control and Prevention.  
7 The legislature is committed to protecting the safety and  
8 wellbeing of its citizens and is committed to creating safe gun  
9 laws; however, the fact that Hawai'i is the only state with an  
10 assault weapons ban that fails to ban assault rifles and assault  
11 shotguns is inconsistent with this commitment.

12           The purpose of this Act is to:

- 13           (1) Amend the prohibition of certain assault weapons to  
14           include assault rifles, assault shotguns, and shotguns  
15           with a revolving cylinder;
- 16           (2) Expand the types of firearms that fall under the  
17           definition of "assault pistol"; and



1           (3) Expand the ban on pistols with a detachable magazine  
2                   with over ten round capacity to any firearm with a  
3                   detachable magazine with over ten round capacity.

4           SECTION 2. Section 134-1, Hawaii Revised Statutes, is  
5 amended as follows:

6           1. By adding two new definitions to be appropriately  
7 inserted and to read:

8           "Assault rifle" means a semiautomatic rifle that accepts a  
9 detachable magazine and has one or more of the following  
10 characteristics:

- 11           (1) A centerfire rifle with an overall length less than  
12                   thirty inches;
- 13           (2) A folding or telescoping stock;
- 14           (3) A thumbhole stock;
- 15           (4) A second handgrip or protruding grip that can be held  
16                   by the non-trigger hand;
- 17           (5) A flash suppressor;
- 18           (6) A shroud that is attached to or partially or  
19                   completely encircles the barrel and permits the  
20                   shooter to hold the firearm with the second hand  
21                   without being burned;



1        (7) A bayonet mount;

2        (8) A grenade launcher;

3        (9) A threaded barrel capable of accepting a barrel  
4            extender, flash suppressor, forward hand grip, or  
5            silencer; or

6        (10) A pistol grip, excluding pistol grips for pistols not  
7            otherwise prohibited under this section.

8        "Assault shotgun" means a semiautomatic shotgun that has  
9        one or more of the following characteristics:

10       (1) Accepts a detachable magazine; or

11       (2) Has a revolving cylinder."

12       2. By amending the definition of "assault pistol" to read:

13       "Assault pistol" means a semiautomatic pistol that accepts  
14 a detachable magazine and has [~~two~~] one or more of the following  
15 characteristics:

16       (1) An ammunition magazine that attaches to the pistol  
17            outside of the pistol grip;

18       (2) A threaded barrel capable of accepting a barrel  
19            extender, flash suppressor, forward hand grip, or  
20            silencer;



- 1           (3) A shroud that is attached to or partially or  
2                   completely encircles the barrel and permits the  
3                   shooter to hold the firearm with the second hand  
4                   without being burned;
- 5           (4) A manufactured weight of fifty ounces or more when the  
6                   pistol is unloaded;
- 7           (5) A centerfire pistol with an overall length of twelve  
8                   inches or more; or
- 9           (6) It is a semiautomatic version of an automatic firearm;  
10           but does not include a firearm with a barrel sixteen or more  
11           inches in length, an antique pistol as defined in this section,  
12           or a curio or relic as those terms are used in 18 United States  
13           Code section 921(a)(13) or 27 Code of Federal Regulations  
14           section 478.11."

15           SECTION 3. Section 134-8, Hawaii Revised Statutes, is  
16           amended as follows:

- 17           1. By amending subsection (a) to read:
- 18           "(a) The manufacture, possession, sale, barter, trade,  
19           gift, transfer, or acquisition of any of the following is  
20           prohibited: assault pistols, except as provided by section  
21           134-4(e); assault rifles; assault shotguns; automatic firearms;



1 rifles with barrel lengths less than sixteen inches; shotguns  
2 with barrel lengths less than eighteen inches; shotguns with a  
3 revolving cylinder; cannons; mufflers, silencers, or devices for  
4 deadening or muffling the sound of discharged firearms; hand  
5 grenades, dynamite, blasting caps, bombs, or bombshells, or  
6 other explosives; or any type of ammunition or any projectile  
7 component thereof coated with teflon or any other similar  
8 coating designed primarily to enhance its capability to  
9 penetrate metal or pierce protective armor; and any type of  
10 ammunition or any projectile component thereof designed or  
11 intended to explode or segment upon impact with its target."

12 2. By amending subsection (c) to read:

13 "(c) The manufacture, possession, sale, barter, trade,  
14 gift, transfer, or acquisition of detachable ammunition  
15 magazines with a capacity in excess of ten rounds which are  
16 designed for or capable of use with [~~a pistol~~] any firearm is  
17 prohibited. This subsection shall not apply to magazines  
18 originally designed to accept more than ten rounds of ammunition  
19 which have been modified to accept no more than ten rounds and  
20 which are not capable of being readily restored to a capacity of  
21 more than ten rounds."



# S.B. NO. 1334

1           SECTION 4. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4           SECTION 5. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6           SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY: *Stanford*



# S.B. NO. 1334

**Report Title:**

Firearms; Assault Weapons Ban; Assault Pistols; Detachable Magazines

**Description:**

Defines "assault rifle" and "assault shotgun". Amends the definition of "assault pistol" to expand what types of guns are considered assault pistols. Expands the ban on pistols with a detachable magazine with over ten round capacity to any firearm with a detachable magazine with over ten round capacity.

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

