
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 licensure for sellers of
10 ammunition, and by requiring gun owners to show their firearms
11 registrations and identification when purchasing ammunition for
12 the permitted firearms.

13 The purpose of this Act is to:

14 (1) Require a purchaser of ammunition to present to a
15 seller a valid government issued identification card
16 and a valid permit to acquire a firearm, a handgun



- 1 safety training course affidavit, or a hunter
2 education card;
- 3 (2) Require the licensing of sellers of ammunition, and
4 for the identification and proper permitting of
5 purchasers or possessors of ammunition; and
- 6 (3) Regulate ammunition in the same manner that firearms
7 are regulated.

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

11 "§134- Ammunition purchase; required documents
12 exception. (a) Prior to the sale of ammunition or shell
13 casings, the seller shall require the purchaser to present a
14 valid government issued identification card and one of the
15 following:

- 16 (1) A valid permit to acquire a firearm pursuant to
17 section 134-2;
- 18 (2) A handgun safety training course affidavit; or
- 19 (3) A hunter education card.
- 20 (b) Violation of this section is a petty misdemeanor.



1 (c) This section shall not apply to ammunition purchases
2 for firearms manufactured before 1899, and to persons described
3 in section 134-11."

4 SECTION 3. Section 134-4, Hawaii Revised Statutes, is
5 amended as follows:

6 1. By amending the title to read:

7 "§134-4 Transfer, possession of firearms[-] and
8 ammunition."

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

10 "(b) No person shall possess any firearm or ammunition for
11 any firearm that is owned by another, regardless of whether the
12 owner has consented to possession of the firearm[-] or
13 ammunition for the firearm, without a permit from the chief of
14 police of the appropriate county, except as provided in
15 subsection (c) and section 134-5."

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

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

20 SECTION 4. Section 134-31, Hawaii Revised Statutes, is
21 amended to read as follows:



1 "§134-31 License to sell and manufacture firearms[+] and
2 ammunition; fee. Any person desiring to engage in the business
3 to sell and manufacture firearms or ammunition for any firearms
4 for sale in the State either at wholesale or retail, shall
5 annually file an application for a license therefor with the
6 director of finance of each county of the State. The annual fee
7 for the issuance of such license shall be \$10 and shall be
8 payable to said director of finance. A license issued hereunder
9 shall expire on June 30 next following the date of issuance of
10 the license unless sooner terminated. Application for renewal
11 of license shall be filed on or before June 30 of each year."

12 SECTION 5. Section 134-32, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "§134-32 License to sell and manufacture firearms[+] and
15 ammunition; conditions. Every license issued pursuant to this
16 part shall be issued and shall be regarded as having been
17 accepted by the licensee subject to the following conditions:

18 (1) That the licensee at all times shall comply with all
19 provisions of law relative to the sale of firearms[+]
20 and ammunition for any firearms.



- 1 (2) That the license during any time of national emergency
2 or crisis, as defined in section 134-34, may be
3 canceled or suspended.
- 4 (3) That all firearms or ammunition for any firearms in
5 the possession and control of any licensee at any time
6 of national emergency or crisis, as defined in section
7 134-34, may be seized and held in possession or
8 purchased by or on the order of the governor until
9 such time as the national emergency or crisis has
10 passed, or until such time as the licensee and the
11 government of the United States or the government of
12 the State may agree upon some other disposition of the
13 same.
- 14 (4) That all firearms or ammunition for any firearms in
15 the possession and control of the licensee or
16 registered pursuant to section 134-3(c) by the
17 licensee shall be subject to physical inspection by
18 the chief of police of each county during normal
19 business hours at the licensee's place of business.
- 20 (5) That the license may be revoked for a violation of any
21 of the conditions of this section."



1 SECTION 6. Section 134-33, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§134-33 Punishment for violations of section 134-32. Any
4 person who manufactures or sells any firearms or any ammunition
5 for any firearms within the State without having a valid license
6 so to do, or who being a holder of a license violates any of the
7 terms or conditions of the same, shall be fined not less than
8 \$100 nor more than \$1,000 or imprisoned not less than three
9 months nor more than one year[-]; provided that this section
10 does not apply to registered firearms owners who manufacture
11 their own ammunition for personal use for the firearms
12 registered in their name."

13 SECTION 7. This Act does not affect rights and duties that
14 matured, penalties that were incurred, and proceedings that were
15 begun before its effective date.

16 SECTION 8. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 9. This Act shall take effect on January 1, 2021.



Report Title:

Ammunition; Purchase; License to Sell

Description:

Requires a purchaser to present to a seller a valid government issued identification card and a valid permit to acquire a firearm, a handgun safety training course affidavit, or a hunter education card. 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. (SD1)

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