

STAND. COM. REP. NO. 748

Honolulu, Hawaii

MAR 04 2021

RE: S.B. No. 301
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 301 entitled:

"A BILL FOR AN ACT RELATING TO FIREARMS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Define "assault rifle" and "assault shotgun";
- (2) Expand 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;
- (3) Prohibit anyone from bringing or causing to be brought into the State an assault rifle or assault shotgun; and
- (4) Prohibit the sale or transfer of any assault rifle or assault shotgun in the State, unless sold or transferred to an authorized person.

Your Committee received testimony in support of this measure from Americans for Democratic Action, Church of the Crossroads, and eleven individuals. Your Committee received testimony in opposition to this measure from the Maui Police Department, National Rifle Association; Hawaii Firearms Coalition; Pu'uloa Rifle and Pistol Club; Bushido Arms and Ammunition, LLC; Hawaii



Rifle Association; Aloha Freedom Coalition; Young Guns; Berean Beacon Ministry; Valley Isle Sport Shooters; National Shooting Sports Foundation; and over one thousand one hundred individuals.

Your Committee finds that Hawai'i has some of the strongest gun safety laws in the nation and, in 2016, the State received an A-minus rating from the Giffords Law Center to Prevent Gun Violence. Your Committee further finds that Hawai'i had the lowest number of gun deaths per capita among the states in 2017, according to the Centers for Disease Control and Prevention. Your Committee additionally finds that a ban on pistols with a detachable magazine with over ten round capacity has existed in the State since 1992. Although your Committee also finds that the State is committed to protecting the safety and well-being of its citizens, your Committee notes that ambiguity exists in the terminology used to describe firearms such as assault rifles and assault shotguns. Your Committee believes that further discussion on such ambiguities warrants continued discussion.

Accordingly, your Committee has amended this measure by:

- (1) Removing language defining "assault rifle" and "assault shotgun";
- (2) Removing language prohibiting anyone from bringing or causing to be brought into the State an assault rifle or assault shotgun;
- (4) Removing language prohibiting the sale or transfer of any assault rifle or assault shotgun in the State, unless sold or transferred to an authorized person; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 301, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 301, S.D. 1, and be placed on the calendar for Third Reading.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary,

Karl Rhoads

KARL RHOADS, Chair



