

JAN 18 2023

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# A BILL FOR AN ACT

RELATING TO FIREARMS.

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

1           SECTION 1. The legislature finds that Hawaii's penal code  
2 does not adequately address the reporting of lost or stolen  
3 firearms. Permits to acquire firearms and registration are  
4 required in the State to ensure that firearms remain in the  
5 possession of individuals who are properly vetted and meet the  
6 stringent requirements to own or possess firearms. Keeping  
7 firearms in the hands of authorized owners is vital to the  
8 public safety of the people of Hawaii. If lost or stolen  
9 firearms are properly reported, law enforcement can enter  
10 information on these lost or stolen firearms into the  
11 appropriate national and local databases. This information will  
12 enhance police officer safety when dealing with firearm  
13 ownership and possession issues in the course of police duties.  
14 Having access to information on lost or stolen firearms will  
15 also allow police officers to investigate a report in a timely  
16 manner, which will assist in the swift seizure of lost or stolen  
17 weapons and further the goal of public safety.



1           The purpose of this Act is to require firearm owners to  
2 timely report the loss, theft, or destruction of a firearm to  
3 law enforcement.

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

7           "§134-    Reporting of lost, stolen, or destroyed firearms.

8           (a) Every person or designee shall report the loss, theft, or  
9 destruction of a firearm that the person owns or possesses to  
10 the county police department of the county within which the  
11 loss, theft, or destruction occurred, within forty-eight hours  
12 upon the discovery of such loss, theft, or destruction. Every  
13 person reporting the loss, theft, or destruction of a firearm  
14 shall report, to the best of the person's knowledge, accurate  
15 and factual information on the make, model, and serial number of  
16 the firearm, if known by the person, and any additional relevant  
17 information required by the county police department taking the  
18 report.

19           (b) Upon the receipt of a report of a lost, stolen, or  
20 destroyed firearm, the appropriate county police department  
21 shall enter into the National Crime Information Center database,



1 to the extent known, the caliber, make, model, manufacturer, and  
2 serial number of the firearm and any other distinguishing number  
3 or identification mark on the firearm.

4 (c) No person shall knowingly make a false report to a  
5 county police department that a firearm has been lost, stolen,  
6 or destroyed.

7 (d) If a person intentionally or knowingly fails to report  
8 to the appropriate county police department the loss, theft, or  
9 destruction of any firearm that the person owns or possesses, or  
10 falsely reports the loss, theft, or destruction of a firearm,  
11 the person shall:

12 (1) Be guilty of a petty misdemeanor for the first  
13 offense;

14 (2) Be guilty of a misdemeanor for the second offense; and

15 (3) Be guilty of a misdemeanor for the third or subsequent  
16 offense.

17 (e) Any person found guilty under subsection (d)(3) shall:

18 (1) Have all firearm registrations revoked;

19 (2) Surrender all firearms and ammunition to the chief of  
20 police of the appropriate county within seven days of  
21 disqualification; and



1       (3) Be prohibited from owning, possessing, or registering  
2           any firearms.

3       If, upon conviction, a person fails to voluntarily  
4 surrender all firearms and ammunition as required by this  
5 subsection, the chief of police may seize all firearms and  
6 ammunition.

7       (f) For the purposes of this section, an incident that  
8 applies to multiple firearms shall constitute a single offense  
9 if the offense pertaining to each firearm arose from the same  
10 occurrence.

11       (g) A person shall not be in violation of this section if:

12       (1) The failure to report is due to an act of God, act of  
13           war, or inability of a county police department to  
14           receive the report;

15       (2) The person makes a good faith effort to comply with  
16           the requirements of this section;

17       (3) The person is hospitalized, in a coma, or is otherwise  
18           seriously physically or mentally impaired so as to  
19           prevent the person from reporting; or

20       (4) The person's designee makes a report because the  
21           person is unable to make the report."

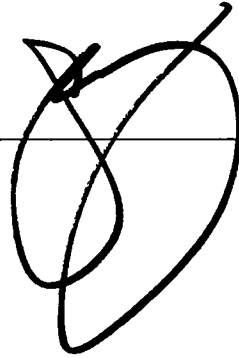


1 SECTION 3. New statutory material is underscored.

2 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right, positioned above a horizontal line.

# S.B. NO. 123

**Report Title:**

Firearms; Reporting Requirements; Penalties

**Description:**

Requires a person to report the person's lost, stolen, or destroyed firearms to the appropriate county police department. Establishes penalties for failure to report and false reporting.

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

