

---

# A BILL FOR AN ACT

RELATING TO FIREARMS.

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

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

3       1. By adding seven new definitions to be appropriately  
4 inserted and to read:

5       ".50 caliber firearm" means a firearm that is not a  
6 shotgun with the capacity to fire ammunition of .50 caliber of  
7 higher. ".50 caliber firearm" does not include antique firearms  
8 or muzzleloaders.

9       "Antique firearm" shall have the same meaning as provided  
10 in title 18 United States Code section 921(a)(16).

11       "Assault rifle" means a semiautomatic rifle:

12       (1) With an overall length less than thirty inches;

13       (2) That has a fixed magazine with the capacity to accept  
14 more than ten rounds, except for an attached tubular  
15 device designed to accept, and capable of operating  
16 only with, .22 caliber rimfire ammunition; or



1        (3) That accepts a detachable magazine or that may be  
2        readily modified to accept a detachable magazine and  
3        has one or more of the following characteristics:

4        (A) A folding, telescoping, or detachable stock, or a  
5        stock that is otherwise foldable or adjustable in  
6        a manner that operates to reduce the length, the  
7        size, or any dimension, or otherwise enhances the  
8        concealability of the weapon;

9        (B) A pistol grip or thumbhole stock;

10       (C) Any feature capable of functioning as a  
11       protruding grip that can be held by the non-  
12       trigger hand;

13       (D) A flash suppressor;

14       (E) A shroud that is attached to or partially or  
15       completely encircles the barrel and permits the  
16       shooter to hold the firearm with the second hand  
17       without being burned, but excluding a slide that  
18       encloses the barrel;

19       (F) A bayonet mount;

20       (G) A grenade launcher; or



1           (H) A threaded barrel capable of accepting a barrel  
2           extender, flash suppressor, forward hand grip, or  
3           silencer.

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

6           (1) Accepts a detachable magazine;

7           (2) Has a revolving cylinder;

8           (3) A pistol grip or thumbhole stock;

9           (4) Any feature capable of functioning as a protruding  
10          grip that can be held by the non-trigger hand;

11          (5) A folding, telescoping, or detachable stock, or a  
12          stock that is otherwise foldable or adjustable in a  
13          manner that operates to reduce the length, the size,  
14          or any dimension, or otherwise enhances the  
15          concealability of the weapon;

16          (6) A grenade launcher; or

17          (7) A fixed magazine with the capacity to hold more than  
18          five rounds.

19          "Detachable magazine" means an ammunition feeding device  
20          that may be removed from a firearm without disassembly of the  
21          firearm action, including an ammunition feeding device that may



1 be readily removed from a firearm with the use of a bullet,  
2 cartridge, or accessory, or other tool, or any other object that  
3 functions as a tool, including a bullet or cartridge.

4 "Fixed magazine" means an ammunition feeding device that is  
5 permanently attached to a firearm, or contained in and not  
6 removable from a firearm, or that is otherwise not a detachable  
7 magazine, but does not include an attached tubular device  
8 designed to accept, and capable of operating only with, .22  
9 caliber rimfire ammunition.

10 "Muzzleloaders" means any pistol, rifle, or shotgun that  
11 loads from the muzzle, or the open end of a weapon, from which  
12 the ammunition is discharged."

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

14 "Assault pistol" means a semiautomatic pistol that accepts  
15 a detachable magazine and has two or more of the following  
16 characteristics:

- 17 (1) An ammunition magazine that attaches to the pistol  
18 outside of the pistol grip;  
19 (2) A threaded barrel capable of accepting a barrel  
20 extender, flash suppressor, forward hand grip, or  
21 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 firearm that is a pistol [as  
12 ~~defined in this section~~], or a curio or relic as those terms are  
13 used in title 18 United States Code section 921(a)(13) or title  
14 27 Code of Federal Regulations section 478.11."

15 3. By repealing the definition of "antique pistol or  
16 revolver".

17 [~~"Antique pistol or revolver" means any pistol or revolver~~  
18 ~~manufactured before 1899 and any replica thereof if it either is~~  
19 ~~not designed or redesigned for using rimfire or conventional~~  
20 ~~centerfire fixed ammunition or is designed or redesigned to use~~  
21 ~~rimfire or conventional centerfire fixed ammunition that is no~~



1 ~~longer manufactured in the United States and is not readily~~  
2 ~~available in the ordinary channels of commercial trade."]~~

3 SECTION 2. Section 134-4, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "**§134-4 Transfer, possession of firearms.** (a) No  
6 transfer of any rifle having a barrel length of sixteen inches  
7 or over or any shotgun having a barrel length of eighteen inches  
8 or over, whether usable or unusable, serviceable or  
9 unserviceable, modern or antique, registered under prior law or  
10 by a prior owner, or unregistered shall be made to any person  
11 under the age of eighteen years, except as provided by section  
12 134-5.

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

18 (c) Any lawfully acquired rifle or shotgun may be lent to  
19 an adult for use within the State for a period not to exceed  
20 fifteen days without a permit; provided that where the rifle or



1 shotgun is to be used outside of the State, the loan may be for  
2 a period not to exceed seventy-five days.

3 (d) No person shall intentionally, knowingly, or  
4 recklessly lend a firearm to any person who is prohibited from  
5 ownership, possession, or control of a firearm under section  
6 134-7.

7 (e) After July 1, 1992, no person shall bring or cause to  
8 be brought into the State an assault pistol. No assault pistol  
9 may be sold or transferred on or after July 1, 1992, to anyone  
10 within the State other than to a dealer licensed under section  
11 134-32 or the chief of police of any county except that any  
12 person who obtains title by bequest or intestate succession to  
13 an assault pistol registered within the State shall, within  
14 ninety days, render the weapon permanently inoperable, sell or  
15 transfer the weapon to a licensed dealer or the chief of police  
16 of any county, or remove the weapon from the State.

17 (f) After July 8, 2025, except as provided by section  
18 134-8(e), no person shall bring or cause to be brought into the  
19 State an assault rifle, an assault shotgun, or a .50 caliber  
20 firearm. No assault rifle, assault shotgun, or .50 caliber  
21 firearm shall be sold or transferred on or after July 8, 2025,



1 to anyone within the State, other than to a dealer licensed  
2 under section 134-32 or the chief of police of any county,  
3 except as provided by section 134-8(e); provided that any person  
4 who obtains title by bequest or intestate succession to an  
5 assault rifle, an assault shotgun, or a .50 caliber firearm  
6 registered within the State shall, within ninety days, render  
7 the weapon permanently inoperable, sell or transfer the weapon  
8 to a licensed dealer or the chief of police of any county, or  
9 remove the weapon from the State."

10 SECTION 3. Section 134-8, Hawaii Revised Statutes, is  
11 amended to read as follows:

12 **"§134-8 Ownership, etc., of automatic firearms, silencers,**  
13 **etc., prohibited; penalties.** (a) The manufacture, possession,  
14 sale, barter, trade, gift, transfer, or acquisition of any of  
15 the following [~~is~~] shall be prohibited: assault pistols, except  
16 as provided by section 134-4(e); assault rifles, except as  
17 provided by section 134-4(f); assault shotguns, except as  
18 provided by section 134-4(f); .50 caliber firearm, except as  
19 provided by section 134-4(f); automatic firearms; rifles with  
20 barrel lengths less than sixteen inches; shotguns with barrel  
21 lengths less than eighteen inches; cannons; mufflers, silencers,





1 or devices for deadening or muffling the sound of discharged  
2 firearms; hand grenades, dynamite, blasting caps, bombs, or  
3 bombshells, or other explosives; or any type of ammunition or  
4 any projectile component thereof coated with [~~teflon~~] Teflon or  
5 any other similar coating designed primarily to enhance its  
6 capability to penetrate metal or pierce protective armor; and  
7 any type of ammunition or any projectile component thereof  
8 designed or intended to explode or segment upon impact with its  
9 target.

10 This subsection shall not apply to a person's possession of  
11 an assault rifle, an assault shotgun, or a .50 caliber firearm  
12 registered to the person before July 8, 2025, pursuant to 134-3.

13 A person authorized under this subsection to possess an  
14 assault rifle, an assault shotgun, or a .50 caliber firearm  
15 shall possess that weapon only:

16 (1) On private property owned or immediately controlled by  
17 the person;

18 (2) On private property that is not open to the public  
19 with the express permission of the person who owns or  
20 immediately controls the property;



1       (3) While on the premises of a licensed firearms dealer or  
2       gunsmith for the purpose of lawful repair;

3       (4) While engaged in the legal use of the assault rifle,  
4       assault shotgun, or .50 caliber firearm at a properly  
5       licensed firing range or sport shooting competition  
6       venue; or

7       (5) While traveling to or from the locations listed in  
8       paragraphs (1) through (4); provided that the assault  
9       rifle, assault shotgun, or .50 caliber firearm is  
10       unloaded in an enclosed container, as defined in  
11       section 134-24.

12       (b) Any person who installs, removes, or alters a firearm  
13 part with the intent to convert the firearm to an automatic  
14 firearm shall be deemed to have manufactured an automatic  
15 firearm in violation of subsection (a).

16       (c) The manufacture, possession, sale, barter, trade,  
17 gift, transfer, or acquisition of detachable [~~ammunition~~]  
18 magazines with a capacity in excess of ten rounds [~~which~~] that  
19 are designed for or capable of use with [~~a pistol is~~] any  
20 firearm shall be prohibited. This subsection shall not apply to  
21 magazines originally designed to accept more than ten rounds of



1 ammunition [~~which~~] that have been modified to accept no more  
2 than ten rounds and [~~which~~] that are not capable of being  
3 readily restored to a capacity of more than ten rounds.

4 (d) Any person violating subsection (a) or (b) shall be  
5 guilty of a class C felony and shall be imprisoned for a term of  
6 five years without probation. Any person violating subsection  
7 (c) shall be guilty of a misdemeanor except when a detachable  
8 magazine prohibited under this section is possessed while  
9 inserted into a [~~pistol~~] firearm in which case the person shall  
10 be guilty of a class C felony."

11 SECTION 4. Section 134-15, Hawaii Revised Statutes, is  
12 amended by amending subsection (b) to read as follows:

13 "(b) This section shall not apply to any pistol or  
14 revolver duly registered [~~prior to~~] before July 1, 1975,  
15 pursuant to section 134-3 or to any antique [~~pistol or~~  
16 ~~revolver.~~] firearm."

17 SECTION 5. This Act does not affect rights and duties that  
18 matured, penalties that were incurred, and proceedings that were  
19 begun before its effective date.

20 SECTION 6. Every provision in this Act and every  
21 application of each provision in this Act is severable from each



1 other. If any application of any provision in this Act to any  
2 person or group of persons or circumstances is determined by any  
3 court to be invalid, the remainder of this Act and the  
4 application of the Act's provisions to all other persons and  
5 circumstances shall not be affected. All constitutionally valid  
6 applications of this Act shall be severed from any applications  
7 that a court determines to be invalid or unenforceable, leaving  
8 the valid applications in force, because it is the legislature's  
9 intent that all valid applications shall remain in force.

10 SECTION 7. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12 SECTION 8. This Act shall take effect on July 1, 3000.



**Report Title:**

Firearms; Gun Safety; Assault Rifles; Assault Shotguns; .50  
Caliber Firearms; Detachable Magazines; Prohibition

**Description:**

Establishes prohibitions on assault rifles, assault shotguns,  
and .50 caliber firearms. Expands the ban on high-capacity  
detachable magazines. Effective 7/1/3000. (HD1)

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

