

Honolulu, Hawaii

FEB 14 2025

RE: S.B. No. 401  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Sir:

Your Committee on Public Safety and Military Affairs, to which was referred S.B. No. 401 entitled:

"A BILL FOR AN ACT RELATING TO FIREARMS,"

begs leave to report as follows:

The purpose and intent of this measure is to include any firearm or rifle with the capacity to fire ammunition of fifty caliber or higher, excluding antique pistols and revolvers, and muzzleloaders, in the list of prohibited weapons.

Your Committee received testimony in support of this measure from the Department of Law Enforcement, Honolulu Police Department, Brady Campaign to Prevent Gun Violence, Everytown for Gun Safety, Hawai'i Chapter of Moms Demand Action for Gun Sense in America, Hawai'i Chapter of Students Demand Action for Gun Sense in America, and six individuals.

Your Committee received testimony in opposition to this measure from the Libertarian Party of Hawaii, Red Letter Industries, Young Guns, Hawaii Rifle Association, SDM Training Group, Bows N Bullets, Pu'uloa Rifle and Pistol Club, and numerous individuals.

Your Committee finds that while the State has some of the most stringent gun safety laws in the nation, an omission exists in the existing statute prohibiting the use of certain highly



dangerous weapons. Firearms or rifles with the capacity to fire ammunition of fifty caliber or higher are not currently included in the list of prohibited firearms, which is contradictory to the State's position on gun safety. According to the Department of Law Enforcement in its testimony provided at the public hearing held on this measure, fifty caliber firearms are capable of penetrating buildings, vehicles, and protective equipment, making them particularly dangerous when used in criminal activities or acts of violence. This measure addresses this gap in the law by prohibiting firearms or rifles with the capacity to fire ammunition of fifty caliber or higher, which is a grade of firearm lacking an essential public use justifying the continued permission of this type of weapon under state law.

Your Committee has amended this measure by:

- (1) Removing legislative findings;
- (2) Changing the effective date to January 1, 2026; and
- (3) Making technical, nonsubstantive changes for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 401, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 401, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Public Safety and  
Military Affairs,

  
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BRANDON J.C. ELEFANTE, Chair



