
A BILL FOR AN ACT

RELATING TO FIREARMS.

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

1 SECTION 1. Section 134-10.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§134-10.5 Storage of firearm; responsibility with respect**
4 **to minors.** (a) No person shall store or keep any firearm [~~on~~
5 ~~any premises~~] under the person's control if the person knows or
6 reasonably should know that a minor is likely to gain access to
7 the firearm without [~~the~~] permission [~~of the parent or guardian~~
8 ~~of the minor~~], unless the person:

9 (1) Keeps the firearm in a securely locked box or other
10 container or in a location that a reasonable person
11 would believe to be secure; or

12 (2) Carries the firearm on the person or within such close
13 proximity thereto that the person can readily retrieve
14 and use it as if it were carried on the person.

15 (b) For purposes of this section, "minor" means any person
16 under the age of eighteen years."



1 SECTION 2. Section 707-714.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§707-714.5 Criminally negligent storage of a firearm.**

4 (1) A person commits the offense of criminally negligent
5 storage of a firearm if the person violates section 134-10.5 and
6 a minor obtains the firearm. [~~For purposes of this section,~~
7 ~~"minor" means any person under the age of eighteen years.~~]

8 (2) This section shall not apply if the minor obtains the
9 firearm as a result of an unlawful entry to any premises by any
10 person.

11 (3) [~~Criminally negligent storage of a firearm is a~~
12 ~~misdemeanor.~~] Any person violating subsection (1) shall be
13 guilty of a misdemeanor; provided that it shall be a class C
14 felony offense if the minor obtains the firearm and it results
15 in the injury of the minor or another person; provided further
16 that it shall be a class B felony offense if the minor obtains
17 the firearm and it results in the death of the minor or another
18 person.

19 (4) For purposes of this section, "minor" means any person
20 under the age of eighteen years."



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1 SECTION 3. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 4. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 5. This Act shall take effect upon its approval.

7

INTRODUCED BY:



JAN 14 2025



H.B. NO. 138

Report Title:

Firearms; Secure Storage

Description:

Clarifies the requirements for the secure storage of firearms. Amends the offense of criminally negligent storage of a firearm to establish felony penalties for when a minor obtains an unsecured firearm and it results in injury or death.

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