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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 the State has some  
2 of the strongest gun safety laws in the nation, and in 2023 the  
3 State received an A-minus rating from the Giffords Law Center to  
4 Prevent Gun Violence. Additionally, according to the Centers  
5 for Disease Control and Prevention, the State had the third  
6 lowest number of gun deaths per capita in the nation in 2022.  
7 The legislature is committed to protecting the safety and well-  
8 being of its citizens. However, the fact that Hawaii is the  
9 only state with an assault weapons ban that fails to ban assault  
10 rifles and assault shotguns is inconsistent with this  
11 commitment.

12           Accordingly, the purpose of this Act is to:

13           (1) Prohibit persons from bringing or causing to be  
14           brought into the State assault rifles, assault  
15           shotguns, or .50 caliber rifles;



1 (2) Prohibit the sale or transfer of assault rifles,  
2 assault shotguns, or .50 caliber rifles in the State  
3 to anyone other than authorized individuals;

4 (3) Amend the prohibition on certain assault weapons to  
5 include assault rifles, assault shotguns, and .50  
6 caliber rifles;

7 (4) Expand the ban on high-capacity detachable magazines  
8 to include those magazines designed for or capable of  
9 use with any firearm; and

10 (5) Create exceptions for the acquisition and possession  
11 of prohibited firearms and detachable magazines for  
12 members of law enforcement and the military.

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

15 1. By adding six new definitions to be appropriately  
16 inserted and to read:

17 ".50 caliber rifle" means a centerfire rifle capable of  
18 firing a .50 caliber cartridge. ".50 caliber rifle" does not  
19 include any antique firearm, shotgun including a shotgun that  
20 has a rifle barrel, or muzzle-loader that uses black powder for  
21 hunting or historical reenactments.



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

3        "Assault rifle" means a semiautomatic rifle:

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

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

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

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

17        (B) A pistol grip or thumbhole stock;

18        (C) Any feature capable of functioning as a  
19 protruding grip that can be held by the non-  
20 trigger hand;

21        (D) A flash suppressor;



1           (E) 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, but excluding a slide that  
5           encloses the barrel;

6           (F) A bayonet mount;

7           (G) A grenade launcher; or

8           (H) A threaded barrel capable of accepting a barrel  
9           extender, flash suppressor, forward hand grip, or  
10           silencer.

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

13           (1) Accepts a detachable magazine;

14           (2) Has a revolving cylinder;

15           (3) A pistol grip or thumbhole stock;

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

18           (5) A folding, telescoping, or detachable stock, or a  
19           stock that is otherwise foldable or adjustable in a  
20           manner that operates to reduce the length, the size,



1           or any dimension, or otherwise enhances the  
2           concealability of the weapon;

3           (6) A grenade launcher; or

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

6           "Detachable magazine" means an ammunition feeding device  
7 that may be removed from a firearm without disassembly of the  
8 firearm action, including an ammunition feeding device that may  
9 be readily removed from a firearm with the use of a bullet,  
10 cartridge, accessory, or other tool, or any other object that  
11 functions as a tool, including a bullet or cartridge.

12           "Fixed magazine" means an ammunition feeding device that is  
13 permanently attached to a firearm, or contained in and not  
14 removable from a firearm, or that is otherwise not a detachable  
15 magazine, but does not include an attached tubular device  
16 designed to accept, and capable of operating only with, .22  
17 caliber rimfire ammunition."

18           2. By repealing the definition of "antique pistol or  
19 revolver".

20           ~~[""Antique pistol or revolver" means any pistol or revolver~~  
21 ~~manufactured before 1899 and any replica thereof if it either is~~



1 ~~not designed or redesigned for using rimfire or conventional~~  
2 ~~centerfire fixed ammunition or is designed or redesigned to use~~  
3 ~~rimfire or conventional centerfire fixed ammunition that is no~~  
4 ~~longer manufactured in the United States and is not readily~~  
5 ~~available in the ordinary channels of commercial trade."]~~

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

8 **"§134-4 Transfer, possession of firearms.** (a) No  
9 transfer of any rifle having a barrel length of sixteen inches  
10 or over or any shotgun having a barrel length of eighteen inches  
11 or over, whether usable or unusable, serviceable or  
12 unserviceable, modern or antique, registered under prior law or  
13 by a prior owner, or unregistered shall be made to any person  
14 under the age of eighteen years, except as provided by section  
15 134-5.

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



1 (c) Any lawfully acquired rifle or shotgun may be lent to  
2 an adult for use within the State for a period not to exceed  
3 fifteen days without a permit; provided that where the rifle or  
4 shotgun is to be used outside of the State, the loan may be for  
5 a period not to exceed seventy-five days.

6 (d) No person shall intentionally, knowingly, or  
7 recklessly lend a firearm to any person who is prohibited from  
8 ownership, possession, or control of a firearm under section  
9 134-7.

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

20 (f) After July 8, 2024, except as provided by section  
21 134-8(e), no person shall bring or cause to be brought into the



1 State an assault rifle, assault shotgun, or .50 caliber rifle.  
2 No assault rifle, assault shotgun, or .50 caliber rifle shall be  
3 sold or transferred on or after July 8, 2024, to anyone within  
4 the State, other than to a dealer licensed under section 134-32  
5 or the chief of police of any county, except as provided by  
6 section 134-8(e); provided that any person who obtains title by  
7 bequest or intestate succession to an assault rifle, assault  
8 shotgun, or .50 caliber rifle registered within the State shall,  
9 within ninety days, render the weapon permanently inoperable,  
10 sell or transfer the weapon to a licensed dealer or the chief of  
11 police of any county, or remove the weapon from the State."

12 SECTION 4. Section 134-8, Hawaii Revised Statutes, is  
13 amended to read as follows:

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



1 less than sixteen inches; shotguns with barrel lengths less than  
2 eighteen inches; cannons; mufflers, silencers, or devices for  
3 deadening or muffling the sound of discharged firearms; hand  
4 grenades, dynamite, blasting caps, bombs, or bombshells, or  
5 other explosives; or any type of ammunition or any projectile  
6 component thereof coated with teflon or any other similar  
7 coating designed primarily to enhance its capability to  
8 penetrate metal or pierce protective armor; and any type of  
9 ammunition or any projectile component thereof designed or  
10 intended to explode or segment upon impact with its target.

11 This subsection shall not apply to a person's possession of  
12 an assault rifle, assault shotgun, or .50 caliber rifle  
13 registered to the person subject to the requirements of section  
14 134-3.

15 A person authorized under this subsection to possess an  
16 assault rifle, assault shotgun, or .50 caliber rifle shall  
17 possess the assault rifle, assault shotgun, or .50 caliber rifle  
18 only:

19 (1) On private property owned or immediately controlled by  
20 the person;



- 1        (2) On private property that is not open to the public  
2        with the express permission of the person who owns or  
3        immediately controls the property;
- 4        (3) While on the premises of a licensed firearms dealer or  
5        gunsmith for the purpose of lawful repair;
- 6        (4) While engaged in the legal use of the assault rifle,  
7        assault shotgun, or .50 caliber rifle at a properly  
8        licensed firing range or sport shooting competition  
9        venue; or
- 10       (5) While traveling to or from the locations listed in  
11       paragraphs (1) through (4); provided that the assault  
12       rifle, assault shotgun, or .50 caliber rifle is  
13       unloaded and enclosed in a case, firearm carrying box,  
14       shipping box, or other container.

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

19       (c) The manufacture, possession, sale, barter, trade,  
20 gift, transfer, or acquisition of detachable [~~ammunition~~]  
21 magazines with a capacity in excess of ten rounds [~~which~~] that



1 are designed for or capable of use with [~~a pistol~~] any firearm  
2 is prohibited. This subsection shall not apply to magazines  
3 originally designed to accept more than ten rounds of ammunition  
4 [~~which~~] that have been modified to accept no more than ten  
5 rounds and [~~which~~] that are not capable of being readily  
6 restored to a capacity of more than ten rounds.

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

14 (e) The provisions of this section regarding the  
15 acquisition and possession of assault pistols, assault rifles,  
16 assault shotguns, .50 caliber rifles, and detachable magazines  
17 with a capacity in excess of ten rounds shall not apply to:

18 (1) Law enforcement officers, as defined in section 701-  
19 118;



1       (2) Federal, state, or local law enforcement agencies for  
2       the purpose of equipping the agency's law enforcement  
3       officers;

4       (3) Wardens, superintendents, and keepers of prisons,  
5       penitentiaries, jails, and other institutions for the  
6       detention of persons accused or convicted of an  
7       offense; and

8       (4) Members of the armed services or reserve forces of the  
9       United States or the Hawaii National Guard, while  
10       performing their official duties or while traveling to  
11       or from their places of duty."

12       SECTION 5. Section 134-15, Hawaii Revised Statutes, is  
13 amended by amending subsection (b) to read as follows:

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

18       SECTION 6. This Act does not affect rights and duties that  
19 matured, penalties that were incurred, and proceedings that were  
20 begun before its effective date.



1 SECTION 7. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 8. This Act shall take effect upon its approval.

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INTRODUCED BY:

  
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JAN 21 2025



# H.B. NO. 893

**Report Title:**

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

**Description:**

Establishes prohibitions on assault rifles, assault shotguns,  
and .50 caliber rifles. Expands the ban on high-capacity  
detachable magazines. Establishes exceptions.

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

