
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 or
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
- 12 non-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) 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 "Muzzleloader" 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
14 title 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 January 1, 2026, 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 January 1,



1 2026, to anyone within the State, other than to a dealer
2 licensed under section 134-32 or the chief of police of any
3 county, except as provided by section 134-8(e); provided that
4 any person who obtains title by bequest or intestate succession
5 to an assault rifle, an assault shotgun, or a .50 caliber
6 firearm registered within the State shall, within ninety days,
7 render the weapon permanently inoperable, sell or transfer the
8 weapon to a licensed dealer or the chief of police of any
9 county, or remove the weapon from the State; provided further
10 that if the legally registered owner of an assault rifle or
11 assault shotgun transfers the weapon without remuneration,
12 including by bequest or intestate succession, to the registered
13 owner's spouse, reciprocal beneficiary, or lineal descendant,
14 then the transferee may apply, within ninety days of receiving
15 possession of the assault rifle or assault shotgun, to obtain a
16 permit to acquire the weapon pursuant to section 134-2 and
17 register the weapon in the transferee's name pursuant to this
18 chapter, unless the transferee is disqualified under section
19 134-7 from the ownership, possession, or control of a firearm."

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



1 "§134-8 Ownership, etc., of automatic firearms, silencers,
2 etc., prohibited; penalties. "(a) The manufacture,
3 possession, sale, barter, trade, gift, transfer, or acquisition
4 of any of the following shall be prohibited: assault pistols,
5 except as provided by section 134-4(e); assault rifles, except
6 as provided by section 134-4(f); assault shotguns, except as
7 provided by section 134-4(f); .50 caliber firearm, except as
8 provided by section 134-4(f); automatic firearms; rifles with
9 barrel lengths less than sixteen inches; ghost guns; shotguns
10 with barrel lengths less than eighteen inches; cannons;
11 mufflers, silencers, or devices for deadening or muffling the
12 sound of discharged firearms; hand grenades, dynamite, blasting
13 caps, bombs, or bombshells, or other explosives; or any type of
14 ammunition or any projectile component thereof coated with
15 [~~teflon~~] Teflon or any other similar coating designed primarily
16 to enhance its capability to penetrate metal or pierce
17 protective armor; and any type of ammunition or any projectile
18 component thereof designed or intended to explode or segment
19 upon impact with its target.

20 This subsection shall not apply to a person's possession of
21 an assault rifle, an assault shotgun, or a .50 caliber firearm



1 registered to the person before January 1, 2026, pursuant to
2 134-3.

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

6 (1) On private property owned or immediately controlled by
7 the person;

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

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

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

17 (5) While traveling to or from the locations listed in
18 paragraphs (1) through (4); provided that the assault
19 rifle, assault shotgun, or .50 caliber firearm is
20 unloaded in an enclosed container, as defined in
21 section 134-24.



1 (b) Any person who installs, removes, or alters a firearm
2 part with the intent to convert the firearm to an automatic
3 firearm shall be deemed to have manufactured an automatic
4 firearm in violation of subsection (a).

5 (c) The manufacture, possession, sale, barter, trade,
6 gift, transfer, or acquisition of detachable [~~ammunition~~]
7 magazines with a capacity in excess of ten rounds that are
8 designed for or capable of use with [~~a pistol~~] any firearm shall
9 be prohibited. This subsection shall not apply to magazines
10 originally designed to accept more than ten rounds of ammunition
11 that have been modified to accept no more than ten rounds and
12 that are not capable of being readily restored to a capacity of
13 more than ten rounds.

14 (d) Any person violating subsection (a) or (b) shall be
15 guilty of a class C felony and shall be imprisoned for a term of
16 five years without probation. Any person violating subsection
17 (c) shall be guilty of a misdemeanor except when a detachable
18 magazine prohibited under this section is possessed while
19 inserted into a [~~pistol~~] firearm in which case the person shall
20 be guilty of a class C felony.



1 (e) In any prosecution for the manufacture, possession,
2 sale, barter, trade, gift, transfer, or acquisition of a ghost
3 gun, it shall be an affirmative defense that the person holds a
4 current license to sell and manufacture firearms for sale under
5 section 134-31, or that the person is a dealer licensed by the
6 United States Department of Justice, or that the firearm is not
7 required to have a serial number under the federal Gun Control
8 Act of 1968.

9 (f) Notwithstanding any provision of this section to the
10 contrary, the possession of an assault rifle, assault shotgun,
11 or detachable magazine with a capacity greater than ten rounds
12 shall be lawful if:

13 (1) The assault rifle, assault shotgun, or detachable
14 magazine with a capacity greater than ten rounds was
15 lawfully possessed within the State before January 1,
16 2026;

17 (2) The owner is not disqualified under section 134-7 from
18 the ownership, possession, or control of a firearm;

19 (3) The owner resides in the State;



1 (4) The firearm is stored in a secure, locked gun safe or
2 other locked storage container that is inaccessible to
3 unauthorized users; and

4 (5) The assault rifle, assault shotgun, or detachable
5 magazine with a capacity greater than ten rounds is
6 registered with the chief of police of the appropriate
7 county on or before July 1, 2026.

8 (g) Dealers licensed under section 134-31 operating in the
9 State may sell, repair, service, or transfer firearms and
10 magazines that are lawfully possessed by a qualified owner under
11 subsection (f).

12 (h) If the State requires the surrender, seizure, or
13 prohibition of any firearm or magazine lawfully possessed before
14 January 1, 2026, the State shall provide just compensation to
15 the registered owner in an amount equal to the fair market value
16 of the firearm or magazine at the time of surrender.

17 Compensation shall be paid within ninety days of surrender,
18 seizure, or prohibition.

19 (i) This section shall not apply to the possession or use
20 of an assault rifle, assault shotgun, or detachable magazine
21 with a capacity greater than ten rounds when used for:



- 1 (1) Lawful subsistence hunting by residents of the State
- 2 engaged in traditional and customary practices
- 3 recognized under article XII, section 7 of the Hawaii
- 4 State Constitution; or
- 5 (2) Invasive species control authorized by the department
- 6 of land and natural resources, or by private
- 7 landowners participating in conservation and wildlife
- 8 management activities consistent with state permits
- 9 and regulations."

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

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

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

19 SECTION 6. Every provision in this Act and every
 20 application of each provision in this Act is severable from each
 21 other. If any application of any provision in this Act to any



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

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

11 SECTION 8. This Act shall take effect on January 1, 2026.



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. Allows possession of an assault rifle,
assault shotgun, or detachable magazine with a capacity greater
than ten rounds when certain conditions are met. Effective
1/1/2026. (CD2)

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not legislation or evidence of legislative intent.*

