

ACT 263

H.B. NO. 658

A Bill for an Act Relating to Weapons.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The purpose of this Act is to define “automatic firearm” and to prohibit the manufacture thereof by means of converting any other firearm.

SECTION 2. Section 134-1, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

““Automatic firearm” means any firearm that shoots, is designed to shoot, or can be readily restored to shoot automatically more than one shot, without manual reloading, by a single function of the trigger.”

SECTION 3. Section 134-1, Hawaii Revised Statutes, is amended by amending the definition of “firearm” to read as follows:

““Firearm” means any weapon, for which the operating force is an explosive, including[, ] but not limited to[, ] pistols, revolvers, rifles, shotguns, [machine guns,] automatic [rifles,] firearms, noxious gas projectors, mortars, bombs, and cannon[, and submachine guns].”

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

**“§134-8 Ownership, etc., of [machine guns,] automatic [rifles,] firearms, silencers, etc., prohibited; penalty.** (a) The manufacture, possession, sale, barter, trade, gift, transfer, or acquisition of any of the following is prohibited: [machine guns; submachine guns;] automatic [rifles;] firearms; rifles with barrel lengths less than sixteen inches; shotguns with barrel lengths less than eighteen inches; cannon; mufflers, silencers, or devices for deadening or muffling the sound of discharged firearms; hand grenades, dynamite, blasting caps, bombs, or bombshell, or other explosives; or any type of ammunition or any projectile component

thereof coated with teflon or any other similar coating or designed primarily to enhance its capability to penetrate metal or pierce protective armor; and any type of ammunition or any projectile component thereof designed or intended to explode or segment upon impact with its target.

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

[(b)] (c) Any person violating this section shall be guilty of a class C felony and shall be imprisoned for a term of five years without probation.”

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

SECTION 6. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 7. This Act shall take effect upon its approval.

(Approved June 8, 1989.)