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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 Hawaii's penal code  
2 does not adequately address the reporting of lost or stolen  
3 firearms. Permits to acquire and registration of firearms are  
4 required in the State to ensure that firearms remain in the  
5 possession of individuals who are properly vetted and meet the  
6 stringent requirements to own or possess firearms. Keeping  
7 firearms in the hands of authorized owners is vital to the  
8 public safety of the people of Hawaii. If lost or stolen  
9 firearms are properly reported, law enforcement can enter the  
10 information of these lost or stolen firearms into the  
11 appropriate national and local databases. This information will  
12 enhance police officer safety when dealing with firearm  
13 ownership and possession issues in the course of police duties.  
14 Having access to information on lost or stolen firearms will  
15 also allow police officers to investigate a report in a timely  
16 manner, which will assist in the swift seizure of lost or stolen  
17 weapons and further the goal of public safety.



1 SECTION 2. Chapter 134, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§134- Reporting of lost, stolen, or destroyed firearms.

5 (a) Every person or designee shall report the loss, theft, or  
6 destruction of a firearm that the person owns or possesses to  
7 the county police department of the county within which the  
8 loss, theft, or destruction occurred, within twenty-four hours  
9 upon the discovery or such loss, theft, or destruction. Every  
10 person reporting the loss, theft, or destruction of a firearm  
11 shall report the make, model, and serial number of the firearm,  
12 if known by the person, and any additional relevant information  
13 required by the county police department taking the report.

14 (b) Upon the receipt of a report of a lost, stolen, or  
15 destroyed firearm, the appropriate county police department  
16 shall enter into the National Crime Information Center database,  
17 to the extent known, the caliber, make, model, manufacturer, and  
18 serial number of the firearm and any other distinguishing number  
19 or identification mark on the firearm.

20 (c) If a person intentionally or knowingly fails to report  
21 to the appropriate county police department the loss, theft, or



1 destruction of any firearm that the person owns or possesses, or  
2 falsely reports the loss, theft, or destruction of that firearm,  
3 the person shall:

4 (1) Be guilty of a petty misdemeanor for the first  
5 offense;

6 (2) Be guilty of a misdemeanor for the second offense; and

7 (3) Be guilty of a misdemeanor for the third offense or  
8 subsequent offense.

9 (d) Any person found guilty under subsection (c) (3) shall:

10 (1) Have all firearm registrations revoked;

11 (2) Surrender all firearms and ammunition to the chief of  
12 police of the appropriate county within seven days of  
13 disqualification; and

14 (3) Be prohibited from owning, possessing, or registering  
15 any firearms.

16 If, upon conviction, a person fails to voluntarily  
17 surrender all firearms and ammunition as required by this  
18 subsection, the chief of police may seize all firearms and  
19 ammunition.

20 (e) For the purposes of this section, an incident that  
21 applies to multiple firearms shall constitute a single offense



1 if the offense pertaining to each firearm arose from the same  
2 occurrence.

3 (f) No person shall knowingly make a false report to a  
4 county police department that a firearm has been lost, stolen,  
5 or destroyed.

6 (g) A person shall not be in violation of this section if:

7 (1) The failure to report is due to an act of God, act of  
8 war, or inability of a county police department to  
9 receive the report;

10 (2) The person is hospitalized, in a coma, or is otherwise  
11 seriously physically, or mentally impaired so as to  
12 prevent the person from reporting; or

13 (3) The person's designee makes a report if the person is  
14 unable to make the report."

15 SECTION 3. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

Firearms; Lost, Stolen, or Destroyed Firearms; Reporting Requirements; Penalties

**Description:**

Requires a person to report the person's lost, stolen, or destroyed firearms to the appropriate county police department. Establishes penalties for failure to report. (SD1)

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

