

JAN 19 2018

A BILL FOR AN ACT

RELATING TO FIREARMS.

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

1 SECTION 1. Section 134-3, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "§134-3 Registration, mandatory, exceptions. (a) Every
4 person arriving in the State who brings or by any other manner
5 causes to be brought into the State a firearm of any
6 description, whether usable or unusable, serviceable or
7 unserviceable, modern or antique, shall register the firearm
8 within five days after arrival of the person or of the firearm,
9 whichever arrives later, with the chief of police of the county
10 of the person's place of business or, if there is no place of
11 business, the person's residence or, if there is neither a place
12 of business nor residence, the person's place of sojourn. A
13 nonresident alien may bring firearms not otherwise prohibited by
14 law into the State for a continuous period not to exceed ninety
15 days; provided that the person meets the registration
16 requirement of this section and the person possesses:



- 1 (1) A valid Hawaii hunting license procured under chapter
- 2 183D, part II, or a commercial or private shooting
- 3 preserve permit issued pursuant to section 183D-34;
- 4 (2) A written document indicating the person has been
- 5 invited to the State to shoot on private land; or
- 6 (3) Written notification from a firing range or target
- 7 shooting business indicating that the person will
- 8 actually engage in target shooting.

9 The nonresident alien shall be limited to a nontransferable
10 registration of not more than ten firearms for the purpose of
11 the above activities.

12 Every person registering a firearm under this subsection
13 shall be fingerprinted and photographed by the police department
14 of the county of registration; provided that this requirement
15 shall be waived where fingerprints and photographs are already
16 on file with the police department. The police department shall
17 perform an inquiry on the person by using the International
18 Justice and Public Safety Network, including the United States
19 Immigration and Customs Enforcement query, the National Crime
20 Information Center, and the National Instant Criminal Background



1 Check System, pursuant to section 846-2.7 before any
2 determination to register a firearm is made.

3 (b) Every person who acquires a firearm pursuant to
4 section 134-2 shall register the firearm in the manner
5 prescribed by this section within five days of acquisition. The
6 registration shall be on forms prescribed by the attorney
7 general, which shall be uniform throughout the State, and shall
8 include the following information: name of the manufacturer and
9 importer; model; type of action; caliber or gauge; serial
10 number; and source from which receipt was obtained, including
11 the name and address of the prior registrant. If the firearm
12 has no serial number, the permit number shall be entered in the
13 space provided for the serial number, and the permit number
14 shall be engraved upon the receiver portion of the firearm prior
15 to registration. All registration data that would identify the
16 individual registering the firearm by name or address shall be
17 confidential and shall not be disclosed to anyone, except as may
18 be required:

- 19 (1) For processing the registration;
20 (2) For database management by the Hawaii criminal justice
21 data center;



1 (3) By a law enforcement agency for the lawful performance
2 of its duties; or

3 (4) By order of a court.

4 (c) Dealers licensed under section 134-31 or dealers
5 licensed by the United States Department of Justice shall
6 register firearms pursuant to this section on registration forms
7 prescribed by the attorney general and shall not be required to
8 have the firearms physically inspected by the chief of police at
9 the time of registration.

10 (d) Registration shall not be required for:

11 (1) Any device that is designed to fire loose black powder
12 or that is a firearm manufactured before 1899;

13 (2) Any device not designed to fire or made incapable of
14 being readily restored to a firing condition; or

15 (3) All unserviceable firearms and destructive devices
16 registered with the Bureau of Alcohol, Tobacco, and
17 Firearms of the United States Department of Justice
18 pursuant to Title 27, Code of Federal Regulations.

19 (e) No fee shall be charged for the registration of a
20 firearm under this section, except for a fee chargeable by and
21 payable to the registering county for persons registering a



1 firearm under subsection (a), in an amount equal to the fee
2 charged by the Hawaii criminal justice data center pursuant to
3 section 846-2.7. In the case of a joint registration, the fee
4 provided for in this section may be charged to each person.

5 (f) Any registration under this section shall expire five
6 years from the date the registration is issued or December 31,
7 2023, whichever is later. Registration may be renewed prior to
8 the expiration of the registration for additional periods of
9 five years with the chief of police of the county of the
10 person's place of business or, if there is no place of business,
11 the person's residence or, if there is neither a place of
12 business nor residence, the person's place of sojourn. The
13 registration renewal shall be on forms prescribed by the
14 attorney general, which shall be uniform throughout the State,
15 and shall include the same information as the registration."

16 SECTION 2. Section 134-8, Hawaii Revised Statutes, is
17 amended by amending subsection (a) to read as follows:

18 "(a) The manufacture, possession, sale, barter, trade,
19 gift, transfer, or acquisition of any of the following is
20 prohibited: [~~assault~~]



- 1 (1) Assault pistols, except as provided by section
2 134-4(e); [~~automatic~~]
- 3 (2) Automatic firearms; [~~rifles~~]
- 4 (3) Rifles with barrel lengths less than sixteen inches;
5 [~~shotguns~~]
- 6 (4) Shotguns with barrel lengths less than eighteen
7 inches; [~~cannons,~~]
- 8 (5) Cannons; [~~mufflers,~~]
- 9 (6) Mufflers, silencers, or devices for deadening or
10 muffling the sound of discharged firearms; [~~hand~~]
- 11 (7) Hand grenades, dynamite, blasting caps, bombs, or
12 bombshells, or other explosives; [~~or any~~]
- 13 (8) Any type of ammunition or any projectile component
14 thereof coated with teflon or any other similar
15 coating designed primarily to enhance its capability
16 to penetrate metal or pierce protective armor; [~~and~~]
17 any type of ammunition or any projectile component
18 thereof designed or intended to explode or segment
19 upon impact with its target[-];
- 20 (9) Bump stocks, gat cranks, or any devices that can allow
21 a person to manipulate the trigger mechanism of a



1 firearm more rapidly than the person could without the
2 device;

3 (10) Firearm trigger mechanisms that have been replaced or
4 modified to have a lighter trigger-pull than the
5 trigger mechanism installed in the firearm by the
6 manufacturer;

7 (11) Flash suppressers or any devices that reduce the
8 visible signature of a firearm's discharge; and

9 (12) Any type of firearm modification that significantly
10 increases the amount of time that a firearm may be
11 continuously operated before the firearm overheats."




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

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

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

18

INTRODUCED BY:



S.B. NO. 2265

Report Title:

Firearms; Registration; Renewal; Modification; Restriction

Description:

Requires firearm registrations to be renewed every five years. Restricts possession, transfer, and acquisition of bump stocks, gat cranks, lighter trigger-pull mechanisms, flash suppressors, and overheat reduction modifications.

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

