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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 notes that Act 74, Session Laws  
2 of Hawaii 2020, established, among other things, the class C  
3 felony offense of manufacturing, purchasing, or obtaining  
4 firearm parts to assemble a firearm having no serial number.  
5 This offense is now codified in section 134-10.2, Hawaii Revised  
6 Statutes. However, according to law enforcement agencies,  
7 persons found to be in possession of firearms having no serial  
8 number, which are also known as "ghost guns" because they are  
9 untraceable, claim that their actions do not violate the law  
10 because the parts used to assemble the firearm were acquired  
11 before the September 15, 2020, effective date of  
12 section 134-10.2, Hawaii Revised Statutes.

13           Accordingly, the purpose of this Act is to:

14           (1) Amend the offense of manufacturing, purchasing, or  
15           obtaining firearm parts to assemble a firearm having  
16           no serial number to also prohibit possession of those  
17           firearm parts; and



1 (2) Amend Act 74, Session Laws of Hawaii 2020, to repeal  
2 language that specified the prospective application of  
3 that Act.

4 SECTION 2. Section 134-10.2, Hawaii Revised Statutes, is  
5 amended by amending subsection (a) to read as follows:

6 "(a) A person who is not licensed to manufacture a firearm  
7 under section 134-31, or who is not a dealer licensed by the  
8 United States Department of Justice, shall not, for the purpose  
9 of assembling a firearm, possess, purchase, produce with a  
10 three-dimensional printer, or otherwise obtain separately, or as  
11 part of a kit:

12 (1) A firearm receiver that is not imprinted with a serial  
13 number registered with a federally licensed  
14 manufacturer;

15 (2) A firearm receiver that has not been provided a serial  
16 number that may be registered in accordance with  
17 section 134-3(c); or

18 (3) Any combination of parts from which a firearm having  
19 no serial number may be readily assembled; provided  
20 that the parts do not have the capacity to function as  
21 a firearm unless assembled."



1 SECTION 3. Act 74, Session Laws of Hawaii 2020, is amended  
2 by repealing section 6.

3 [~~SECTION 6. This Act does not affect rights and duties  
4 that matured, penalties that were incurred, and proceedings that  
5 were begun before its effective date.~~"]

6 SECTION 4. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8 SECTION 5. This Act shall take effect on January 1, 2022.



**Report Title:**

Firearms; Ghost Guns; Parts; Possession; Prohibition

**Description:**

Amends the class C felony offense of manufacturing, purchasing, or obtaining firearm parts to assemble a firearm having no serial number to also prohibit possession of those firearm parts. Amends Act 74, Session Laws of Hawaii 2020, to repeal language that specified the prospective application of that Act. Effective 1/1/2022. (HD1)

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

