
A BILL FOR AN ACT

RELATING TO THE LIABILITY OF A FIREARM OWNER.

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

1 SECTION 1. Section 663-9.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§663-9.5 Liability of firearm owners.** (a) The owner of
4 a firearm, if the discharge of the firearm proximately causes
5 either personal injury or property damage to any person, shall
6 be absolutely liable for [~~such~~] the damage.

7 (b) It shall be an affirmative defense to [~~such~~] the
8 absolute liability that [~~the~~]:

9 (1) The firearm was not in the possession of the owner
10 [~~and was~~];

11 (2) The firearm was taken from the owner's possession
12 without the owner's permission; and [~~the~~]

13 (3) The owner either [~~had reported~~]:

14 (A) Reported the theft to the police prior to the
15 discharge; or [~~despite~~]

16 (B) Despite the exercise of reasonable care [~~had~~]:



Report Title:

Hawaii County Package; Liability of Firearm Owners

Description:

Exempts state and counties from absolute liability for use of a firearm owned by the state or county if it is used by a law enforcement officer outside of the course and scope of duties as a law enforcement officer. Eff 7/1/2050. (SD1)

