
HOUSE RESOLUTION

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY
ON SYSTEMS OF FIREARMS INSURANCE AND OTHER FINANCIAL
RESPONSIBILITY REQUIREMENTS PERTAINING TO FIREARMS.

1 WHEREAS, the prevention of gun violence is an urgent matter
2 of public health, safety, and welfare; and
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4 WHEREAS, the country has seen numerous high profile
5 shootings over many decades; and
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7 WHEREAS, Hawaii has long been a leader in protecting the
8 public from the serious risks of firearms and gun violence by
9 implementing commonsense policies designed to protect the
10 State's residents and communities, while also protecting the
11 exercise of constitutional rights; and
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13 WHEREAS, although the United States Supreme Court has held
14 that the Second Amendment provides for an individual right to
15 keep and bear arms for lawful purposes, the Second Amendment is
16 not "a regulatory straightjacket", *New York State Rifle & Pistol*
17 *Ass'n, Inc. v. Bruen*, 142 S.Ct. 2111, 2133 (2022), and states
18 retain authority to enact "a 'variety' of gun regulations", *id.*
19 at 2162 (Kavanaugh, J., concurring), to ensure that those who
20 carry firearms are "law-abiding, responsible citizens", *id.* at
21 2131, 2156; and
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23 WHEREAS, there is a long history in the United States of
24 policies and legal frameworks designed to promote financial
25 responsibility in connection with firearms, such as requirements
26 relating to the posting of surety bonds; and
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28 WHEREAS, in recent years, legislation has been introduced
29 or considered in a number of states, including Hawaii, that
30 would establish systems of mandatory firearms insurance or other
31 financial responsibility requirements; and
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1 WHEREAS, in 2022 the City of San Jose required residents
2 who own or possess a firearm to obtain a homeowner's, renter's,
3 or gun liability insurance policy covering losses or damages
4 resulting from any accidental use of a firearm; and

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6 WHEREAS, in 2022 the State of New Jersey became the first
7 state to require all persons licensed to carry a firearm to
8 maintain and provide proof of liability insurance on account of
9 injury, death, or damage to property arising out of ownership,
10 maintenance, operation, or use of a firearm; and

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12 WHEREAS, systems of insurance and other financial
13 responsibility requirements can, in some contexts, play an
14 important role by facilitating compensation for injured persons
15 and reducing risks by encouraging safer behavior; and

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17 WHEREAS, firearms insurance and other financial
18 responsibility requirements pertaining to firearms are an
19 important and rapidly evolving area of policy that is deserving
20 of further study and consideration; now, therefore,

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22 BE IT RESOLVED by the House of Representatives of the
23 Thirty-second Legislature of the State of Hawaii, Regular
24 Session of 2023, that the Legislative Reference Bureau is
25 requested to conduct a study on systems of firearms insurance
26 and other financial responsibility requirements pertaining to
27 firearms, including the feasibility and costs of these systems;
28 and

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30 BE IT FURTHER RESOLVED that as a part of the study, the
31 Legislative Reference Bureau is requested to work in
32 collaboration with the Department of the Attorney General and
33 the Insurance Commissioner to examine how these systems may be
34 implemented in the State; and

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36 BE IT FURTHER RESOLVED that the Legislative Reference
37 Bureau is requested to submit a report of its findings and
38 recommendations, including any proposed legislation, to the
39 Legislature no later than twenty days prior to the convening of
40 the Regular Session of 2024; and



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1 BE IT FURTHER RESOLVED that certified copies of this
2 Resolution be transmitted to the Governor, Attorney General,
3 Director of Commerce and Consumer Affairs, Insurance
4 Commissioner, and Director of the Legislative Reference Bureau.
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OFFERED BY:



MAR 10 2023

