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# HOUSE RESOLUTION

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO REPORT 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 summarize the relevant mandatory insurance laws of  
26 the State of New Jersey and the City of San Jose, and any  
27 similar insurance laws that other U.S. jurisdictions may be  
28 enacting, as well as any current laws that impose other  
29 financial responsibilities on firearms; and  
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31 BE IT FURTHER RESOLVED that as a part of the report, the  
32 Insurance Commissioner is requested to provide an analysis of  
33 the feasibility and costs of firearms insurance and other  
34 financial responsibility requirements and to examine how these  
35 systems may be implemented in the State; and  
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37 BE IT FURTHER RESOLVED that the Legislative Reference  
38 Bureau is requested to submit a report of its findings and  
39 recommendations, including any proposed legislation, to the  
40 Legislature no later than twenty days prior to the convening of  
41 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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