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# HOUSE CONCURRENT 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



1 would establish systems of mandatory firearms insurance or other  
2 financial responsibility requirements; and

3  
4 WHEREAS, in 2022 the City of San Jose required residents  
5 who own or possess a firearm to obtain a homeowner's, renter's,  
6 or gun liability insurance policy covering losses or damages  
7 resulting from any accidental use of a firearm; and

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

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

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

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

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

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39 BE IT FURTHER RESOLVED that the Legislative Reference  
40 Bureau is requested to submit a report of its findings and  
41 recommendations, including any proposed legislation, to the

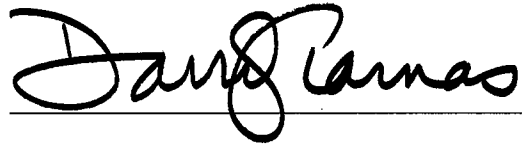


# H.C.R. NO. 86

1 Legislature no later than twenty days prior to the convening of  
2 the Regular Session of 2024; and  
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4 BE IT FURTHER RESOLVED that certified copies of this  
5 Concurrent Resolution be transmitted to the Governor, Attorney  
6 General, Director of Commerce and Consumer Affairs, Insurance  
7 Commissioner, and Director of the Legislative Reference Bureau.  
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OFFERED BY:

  
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MAR 10 2023

