



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
KA 'OIHANA O KA LOIO KUHINA  
THIRTY-SECOND LEGISLATURE, 2023**

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**ON THE FOLLOWING MEASURE:**

H.C.R. NO. 86, H.R. NO. 93, REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON SYSTEMS OF FIREARMS INSURANCE AND OTHER FINANCIAL RESPONSIBILITY REQUIREMENTS PERTAINING TO FIREARMS.

**BEFORE THE:**

HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

**DATE:** Thursday, March 23, 2023      **TIME:** 2:00 p.m.

**LOCATION:** State Capitol, Room 325

**TESTIFIER(S):** Anne E. Lopez, Attorney General,  
David D. Day, Special Assistant to the Attorney General, or  
Nicholas M. McLean, Deputy Attorney General

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Chair Tarnas and Members of the Committee:

The Department of the Attorney General (Department) supports this resolution.

Gun violence presents an urgent issue of public health and public safety. The Department believes that financial responsibility requirements—including insurance requirements pertaining to firearms—are a promising policy alternative that may warrant further consideration by this body.

As a federal district court in California observed in rejecting a Second Amendment challenge to San Jose’s recently adopted firearms insurance requirement, “the history of reallocating costs of firearm-related accidents—from which [modern firearms insurance systems] descend[]—can be traced back to the early American practice of imposing strict liability for such accidents.” *Nat’l Ass’n for Gun Rts., Inc. v. City of San Jose*, 2022 WL 3083715, at \*11 (N.D. Cal. Aug. 3, 2022) (recognizing that the United States has “a ‘historical tradition’ of shifting the costs of firearm accidents from the victims to the owners of the implicated firearms”).

Should H.C.R. No. 86 or H.R. No. 93 be adopted, the Department stands ready to assist and to work collaboratively with the Legislative Reference Bureau on this matter.

Thank you for your consideration of this measure.

**HR-93**

Submitted on: 3/20/2023 3:04:20 PM

Testimony for JHA on 3/23/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Andrew Crossland	Individual	Oppose	Written Testimony Only

Comments:

I oppose this Resolution.

**HR-93**

Submitted on: 3/20/2023 9:20:03 PM

Testimony for JHA on 3/23/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

Violation of the 2nd Amendment something you have no Authority to do. We the people will be watching every thing you do to file Charges if need be!!!