
HOUSE CONCURRENT 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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2 WHEREAS, in 2022, the City of San Jose required residents
3 who own or possess a firearm to obtain a homeowner's, renter's,
4 or gun liability insurance policy covering losses or damages
5 resulting from any accidental use of a firearm; and
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7 WHEREAS, in 2022, the State of New Jersey became the first
8 state to require all persons licensed to carry a firearm to
9 maintain and provide proof of liability insurance on account of
10 injury, death, or damage to property arising out of ownership,
11 maintenance, operation, or use of a firearm; and
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13 WHEREAS, systems of insurance and other financial
14 responsibility requirements can, in some contexts, play an
15 important role by facilitating compensation for injured persons
16 and reducing risks by encouraging safer behavior; and
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18 WHEREAS, firearms insurance and other financial
19 responsibility requirements pertaining to firearms are an
20 important and rapidly evolving area of policy that is deserving
21 of further study and consideration; now, therefore,
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23 BE IT RESOLVED by the House of Representatives of the
24 Thirty-second Legislature of the State of Hawaii, Regular
25 Session of 2023, the Senate concurring, that the Legislative
26 Reference Bureau is requested to summarize the relevant
27 mandatory insurance laws of the State of New Jersey and the City
28 of San Jose, and any similar insurance laws that other states
29 may be enacting, as well as any current laws that impose other
30 financial responsibilities on firearms; and
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32 BE IT FURTHER RESOLVED that as a part of the report, the
33 Insurance Commissioner is requested to provide an analysis of
34 the types of firearm insurance policies offered in other states,
35 which entities are offering those policies, and the pricing of
36 those policies; and
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38 BE IT FURTHER RESOLVED that the Legislative Reference
39 Bureau is requested to submit a report of its findings and
40 recommendations, including any proposed legislation, to the
41 Legislature no later than twenty days prior to the convening of
42 the Regular Session of 2024; and
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1 BE IT FURTHER RESOLVED that certified copies of this
2 Concurrent Resolution be transmitted to the Governor, Attorney
3 General, Director of Commerce and Consumer Affairs, Insurance
4 Commissioner, and Director of the Legislative Reference Bureau.

