
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



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

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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

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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

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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

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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 summarize the relevant
29 mandatory insurance laws of the State of New Jersey and the City
30 of San Jose, and any similar insurance laws that other U.S.
31 jurisdictions may be enacting, as well as any current laws that
32 impose other financial responsibilities on firearms ; and

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34 BE IT FURTHER RESOLVED that as a part of the report, the
35 Insurance Commissioner is requested to provide an analysis of
36 the feasibility and costs of firearms insurance and other
37 financial responsibility requirements and to examine how these
38 systems may be implemented in the State; and

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



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BE IT FURTHER RESOLVED that certified copies of this
Concurrent Resolution be transmitted to the Governor, Attorney
General, Director of Commerce and Consumer Affairs, Insurance
Commissioner, and Director of the Legislative Reference Bureau.

