Honolulu, Hawaii

Fe 528, 2008

RE: H.B. No. 2204 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2204 entitled:

"A BILL FOR AN ACT RELATING TO THE LIABILITY OF A FIREARM OWNER,"

begs leave to report as follows:

The purpose of the bill is to protect government entities from being held to strict liability standards for "owning" firearms used by government employees, by removing government entities from the definition of "firearm owner" for the purpose of establishing liability.

The County of Hawaii testified in support of this bill. The Hawaii Rifle Association and Consumer Lawyers of Hawaii opposed this measure.

Your Committee has amended the bill by:

- (1) Inserting language specifying that, although government entities have been removed from the definition of "firearm owner" for absolute liability purposes, government entities shall otherwise still be liable in tort;
- (2) Inserting a savings clause; and

(3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2204, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2204, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

TOMMY WATERS, Chair

State of Hawaii House of Representatives The Twenty-fourth Legislature



Record of Votes of the Committee on Judiciary

Bill/Resolution No.:	Committee Referral:		Date:		
HB2204	JUD		2/26/08		
☐ The committee is reconsidering its previous	ious decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)					
JUD Members	Ayes	Ayes (WR)	Nays	Excused	
1. WATERS, Tommy (C)					
2. OSHIRO, Blake K. (VC)					
3. EVANS, Cindy					
4. GREEN, Josh, M.D.					
5. ITO, Ken	THE CONTROL OF THE CO				
6. LUKE, Sylvia					
7. McKELVEY, Angus L.K.	1				
8. MORITA, Hermina M.					
9. SONSON, Alex M.	Transfer Control of the Control of t				
10. SOUKI, Joseph M.					
11. TSUJI, Clift		The first section of the section of			
12. YAMANE, Ryan I.					
13. YAMASHITA, Kyle T.		2 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2		A STATE OF THE STA	
14. MARUMOTO, Barbara C.					
15. PINE, Kymberly Marcos					
16. THIELEN, Cynthia					
2					
-					
				100 m	
TOTAL (16)	10			6	
The recommendation is: Adop	3	did not suppo	ort recommendation		
Vice Chair's or designee's signature:	Tong We-				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office					