

## Opposition to House Bill 7557

Chairman and Members of the Committee,

Good afternoon. My name is Stephen Daignault, and I am here today to express opposition to House Bill 7557, the Rhode Island Firearm Industry Accountability Act of 2026.

While the stated intent of this legislation is to improve public safety, the mechanism it uses does not meaningfully address the individuals who commit gun crimes. Those engaged in criminal activity do not purchase firearms through lawful channels, nor are they influenced by marketing standards or internal compliance policies of licensed businesses. Firearms used in crimes are frequently obtained through illegal means such as theft, trafficking, or straw purchasing. This bill does not directly target those behaviors. As a result, it places regulatory and legal burdens on lawful businesses and transactions while having little practical effect on criminal conduct.

Instead, the bill shifts liability onto manufacturers, distributors, and retailers for the independent actions of third parties over whom they have no direct control. This represents a significant departure from traditional principles of liability in American law, which generally require a clear causal connection between a party's conduct and the harm alleged. Imposing liability based on a "failure to prevent" the unlawful acts of others—particularly where those acts are already illegal—creates an expansive and uncertain standard that is difficult to define and fairly enforce.

There are also constitutional considerations. The Second Amendment protects the right of individuals to keep and bear arms, and courts have increasingly recognized that this right includes the ability to acquire firearms through lawful commerce. When legislation imposes substantial burdens on the lawful firearm market—whether through excessive liability exposure, vague compliance requirements, or the threat of costly litigation—it can have a chilling effect on that lawful access. In practice, this can function as an indirect restriction on the exercise of a constitutional right.

Beyond the legal implications, there is a broader issue of fairness and public trust. Holding a lawful business responsible for the criminal misuse of a legally sold product raises fundamental concerns. We do not typically hold manufacturers or retailers liable for the unlawful misuse of their products by third parties absent clear negligence or statutory violation. Applying a different and more punitive standard in this context risks being viewed as arbitrary and inequitable. That perception can erode confidence among constituents that policymaking is balanced, consistent, and grounded in established legal principles.

If the objective is to reduce gun violence, policy efforts would be more effectively directed toward enforcing existing laws, addressing illegal trafficking networks, and focusing on individuals who commit or enable criminal acts.

For these reasons, I respectfully urge the Committee to oppose House Bill 7557. Thank you for your time and consideration.

Respectfully, Stephen Daignault