

Dear Chair McEntee and Committee Members,

I am writing to express my **strong opposition to H8075**. I have 3 issues with the proposed bill: 1) efficacy, 2) the effects on gunowners, and 3) practicality.

To start with a legal approach, as I am a law student, if we assume that gun ownership is not a fundamental right, which *Heller* and *Bruen* say it is, then we start with rational basis scrutiny. I am not sure this law would even pass that standard. If the government's interest is to make sure someone is compensated for a negligent gun related injury by another, that is a legitimate interest, however the fit with ends and means is highly questionable.

First, I highly suspect that the vast majority of negligent gun-related deaths are in law enforcement, which is exempted from this law. As such, its means will not help reach the ends.

Second, the law is operating under the assumption that the ordinary gunowner is irresponsible enough to let something like negligence around guns happen. There are other, less restrictive means to enforce that, such as storage laws and Representative Boylan's firearm safety training requirement, which is a great example of less restrictive means to achieve the same ends of ensuring safety. As such, I would say that the law is overbroad for its purpose. There are other, less restrictive means to ensure safety, which is why I'm so excited for H7755.

Even if we ignore the level of scrutiny for a second, like it or not, gun ownership has been recognized as a fundamental right. As such, monetarily burdening a Constitutional right, especially to the point of it being prohibitively expensive, has been recognized as infringing on that right. That alone sets this bill up to fail.

Third, like was mentioned, the law is treating the average gunowner as an irresponsible individual. It doesn't require only those who haven't taken safety training to get insurance, nor does it only require those who have shown past irresponsible behavior to get insurance, but it mandates every gunowner get insurance. I ask you to think about the politics here: making people feel like you think they are irresponsible and need insurance because they are negligent around guns is not helping you politically. I'm someone who would happily welcome safety courses, re-certification, and other measures, and even I'm a little insulted: I never carry my gun loaded, never load it until I shoot, and I store it in a safe place. Not to mention that the first things you learn and see at every gun shop/range are the 5 components of safe gun handling, and if you ever did anything unsafe, you would be called out immediately.

To practicality, my dad, a gun owner, pointed out that there currently is no insurance market for firearm ownership. As such, how are we all supposed to buy insurance within 30 days of passage? Not to mention that some gun owners do not have that kind of money. I only have one

gun for sporting clays and hunting, and I'm not sure whether I can afford that insurance policy as a law student. The defense could be "don't get into gun ownership if you cannot afford it," but when I fell in love with the community and sporting clays, I was not aware of this bill. You must think about economic impact and reliance interests, which you are uprooting here.

I think ensuring safety is important, but this bill's restrictions are too broad for its purpose. I say a rigorous process in order to qualify for possession is a great means to achieve the same ends, not burden safe people further.

Thank you, and please feel free to follow up with any questions.

Sincerely,
Clare Tyler
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