

# Shooters Committee on Political Education

## Position Paper



A 3908 Ortiz

Same as S 3853 Parker

**Requires the owners of firearms to obtain liability insurance in an amount not less than one million dollars.**

### PURPOSE

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The indicated purpose appears to be to provide a source of compensation for the victims of gun related violence.

### POSITION

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We oppose this proposal. Having exhausted the traditional litany of anti-firearms proposals, the sponsors of this proposal have cloaked it as providing a market-based system for dealing with the costs of firearms violence in the same manner as compulsory automobile liability coverage.

The problem is that the responsible, law abiding firearms owners who are intended to be the purchasers of this insurance are not the ones responsible for gun violence. Virtually all firearms crimes and the vast majority of accidental firearms shootings are perpetrated by habitual offenders who are highly unlikely to comply with this law any more than they obey current laws and regulations.

**The legislation requires firearms owners to obtain insurance that does not exist.**

One of the fundamental principles of insurance is that it is structured to cover losses due to fortuitous events, not intentional behavior. Thus, no insurance underwriter provides coverage for willful or illegal acts. Nor will they provide coverage for the actions of unrelated third parties. If the legislature were to mandate such coverage, the state would either have to convince insurers to offer such coverage or go into the business itself.

**This designed to be an attack on firearms ownership.**

This is a political attack - no other Constitutional right mandates insurance coverage before being exercised.

It is an economic attack – the amount and comprehensiveness of the proposed coverage is clearly intended to be so costly as to make firearms ownership unaffordable for a large segment of the population.

This is an attempt to shift onto responsible law-abiding gun owners the entire cost of the damages wrought by criminals that possess and use firearms illegally. This legislation could easily morph into a top down or no fault payment system. The fallacy is that these schemes depend on a small fraction of the offending population being non-participants while in this case the vast majority are outside of the system. This is an entitlement system, not insurance.

Another opportunity for the law of unintended (or perhaps in this case intended) consequences.