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# A BILL FOR AN ACT

RELATING TO INSURANCE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. Chapter 431, article 10E, Hawaii Revised  
2 Statutes, is amended by adding a new part to be appropriately  
3 designated and to read as follows:

4 "PART . HOMEOWNERS INSURANCE CLAIMS HISTORY.

5 §431:10E- Purpose. The purpose of this part is to  
6 regulate the use of claims history information for homeowners  
7 insurance and provide certain consumer protections with respect  
8 to the use of this information.

9 §431:10E- Scope; effective dates. This part shall apply  
10 to all homeowners insurance policies delivered or issued for  
11 delivery in this State after July 31, 2012.

12 §431:10E- Definitions. As used in this part:

13 "Inquiry" means a telephone call or other communication  
14 made to an insurer regarding the terms, conditions, or coverage  
15 afforded under an insurance contract that does not result in a  
16 claim, including questions concerning whether a policy will  
17 cover a loss or the process for filing a claim. The term shall



1 not constitute a claim for purposes of section  
2 431:13-103(a)(11).

3       **§431:10E- Use of inquiries and other information.** An  
4 insurer shall not refuse to issue, refuse to renew, or cancel a  
5 homeowners insurance contract, or establish rates for coverage  
6 based in whole or in part on inquiries made by any consumer to  
7 an insurer, unless the inquiry provides information not  
8 previously disclosed by the insured."

9       SECTION 2. This Act shall take effect upon its approval.



**Report Title:**

Insurance; Claims History

**Description:**

Regulates the use of claims history information for homeowners insurance by insurers. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

