



GOV. MSG. NO. 1181

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

April 26, 2012

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

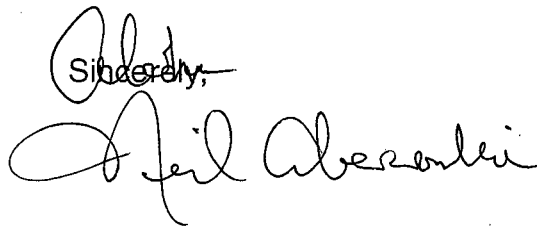
The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on April 26, 2012, the following bill was signed into law:

SB2009 SD1 HD2

RELATING TO INSURANCE.
Act 080 (12)

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

RECEIVED
SENATE
OFFICE OF THE PRESIDENT

'12 APR 26 P7:43

Approved by the Governor

on APR 26 2012

THE SENATE
TWENTY-SIXTH LEGISLATURE, 2012
STATE OF HAWAII

ACT 80

S.B. NO. 2009
S.D. 1
H.D. 2

A BILL FOR AN ACT

RELATING TO INSURANCE.

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

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

4 "PART II. 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, "inquiry"
13 means a telephone call or other communication made to an insurer
14 regarding the terms, conditions, or coverage afforded under an
15 insurance policy that does not result in a claim, including
16 questions concerning whether a policy will cover a loss or the
17 process for filing a claim. The term shall not constitute a
18 claim for purposes of section 431:13-103(a)(11).

SB2009 HD2 HMS 2012-3286



1 **§431:10E- Use of inquiries and other information.** An
 2 insurer shall not refuse to issue, refuse to renew, or cancel a
 3 homeowners insurance policy, or establish rates for coverage
 4 based in whole or in part on inquiries made by any consumer to
 5 an insurer, unless the inquiry provides information not
 6 previously disclosed by the insured."

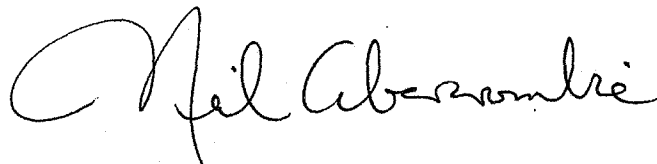
7 SECTION 2. Article 10E, Chapter 431, Hawaii Revised
 8 Statutes, is amended by designating sections 431:10E-101 to
 9 431:10E-103 as part I and inserting a title before section
 10 431:10E-101 to read as follows:

11 "PART I. INSURABLE INTEREST IN PROPERTY; OVER-INSURANCE"

12 SECTION 3. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.

APPROVED this 26 day of APR, 2012



GOVERNOR OF THE STATE OF HAWAII