



GOV. MSG. NO. 1107

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

April 8, 2011

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 8, 2011, the following bill was signed into law:

SB123 SD1

RELATING TO INSURANCE RECORDS
ACT 007(11)

NEIL ABERCROMBIE
Governor, State of Hawaii

A BILL FOR AN ACT

RELATING TO INSURANCE RECORDS.

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

1 SECTION 1. Section 431:9A-123, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§431:9A-123 Records of insurance producer.** (a) Every
4 insurance producer shall keep a record of all transactions
5 consummated under the producer's license. [~~This~~] The record
6 required by this section shall be in a form organized according
7 to class of insurance and shall include:

8 (1) A record of each insurance contract procured or
9 issued, together with the names of the insurers and
10 insureds, the amount of premium paid or to be paid or
11 the basis of the premium or consideration paid or to
12 be paid, and a statement of the subject of the
13 insurance; and

14 (2) Other and additional information as shall be
15 customary, or as may reasonably be required by the
16 commissioner.

17 (b) All the records as to any particular transaction shall
18 be kept in the licensee's office and shall be available and open



1 to the inspection of the commissioner during business hours
2 during the five years immediately after the date of the
3 completion of the transaction.

4 (c) This section shall not apply to life or accident and
5 health or sickness insurance if the records required of [~~such~~]
6 the insurance are customarily maintained in the offices of the
7 insurer.

8 (d) This section shall not apply to motor vehicle or
9 homeowners insurance if the records required of the insurance
10 are maintained electronically, accessible by the producer, and
11 available within one business day."

12 SECTION 2. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 3. This Act shall take effect upon its approval.
15

APPROVED this 8th day of April, 2011


GOVERNOR OF THE STATE OF HAWAII