

JAN 26 2011

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# A BILL FOR AN ACT

RELATING TO FLOOD 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 section to article 10E to be  
3 appropriately designated and to read as follows:

4 "§431:10E- Flood insurance; coverage outside of flood  
5 zone. (a) Any insurer that offers flood insurance within this  
6 State shall make available coverage under the same terms and  
7 conditions, including cost, to properties that are located  
8 outside of designated flood zones as is available to properties  
9 located within designated flood zones; provided that the  
10 property located outside of a designated flood zone has  
11 experienced at least one documented flood:

12 (1) That resulted in damages of at least \$ \_\_\_\_\_ to  
13 real or personal property;

14 (2) That was catalyzed by a natural event; and

15 (3) Where damage to real or personal property was  
16 exacerbated by natural or man-made geographic or  
17 topographical features, or infrastructure, that was



1 not installed, maintained, or controlled by the owner  
2 of the insured property.



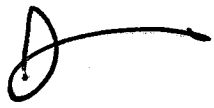
3 (b) Nothing in this section shall preclude recovery by an  
4 individual or an insurer from a person or entity, including a  
5 state, county, or federal government department or agency, found  
6 to be liable for damages to an insured property by reason of  
7 that person's installation, ownership, maintenance, or control  
8 of a geographic or topographical feature, or infrastructure."

9 SECTION 2. New statutory material is underscored.

10 SECTION 3. This Act shall take effect on July 1, 2011.

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INTRODUCED BY:



**Report Title:**

Flood Insurance

**Description:**

Requires insurers to make available flood insurance covering real and personal property under the same terms and conditions to properties located outside of designated flood zones as is available to properties located inside of designated flood zones; authorizes recovery for damages from a responsible party.

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

