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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, 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).



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.



**Report Title:**

Insurance; Claims History

**Description:**

Regulates the use of claims history information for homeowners insurance by insurers. (SB2009 HD2)

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

