

---

---

# A BILL FOR AN ACT

RELATING TO INSURANCE CONTRACTS.

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

1 SECTION 1. Section 431:10-201, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§431:10-201 Scope. The provisions of this part shall  
4 apply to all classes or lines of insurance except:

5 (1) Ocean marine insurance as defined in section 431:1-  
6 211,

7 (2) Surplus line insurance, as defined in section  
8 [†]431:8-102 [†], and

9 (3) Life insurance, or accident and health or sickness  
10 insurance [~~;~~ provided the contracts are neither issued  
11 ~~for delivery in this State nor delivered in this~~  
12 ~~State.~~],

13 provided that the contracts under paragraph (1), (2), or (3) are  
14 neither issued for delivery in this State nor delivered in this  
15 State."

16 SECTION 2. Section 431:10-242, Hawaii Revised Statutes, is  
17 amended to read as follows:



1           "§431:10-242 Policyholder and other suits against insurer.  
2 Where an insurer has contested its liability under a policy and  
3 is ordered by [~~the courts to pay benefits~~] an arbitrator or a  
4 court to provide coverage under the policy, the policyholder,  
5 the beneficiary under a policy, or the person who has acquired  
6 the rights of the policyholder or beneficiary under the policy  
7 shall be awarded reasonable attorney's fees and the costs of  
8 suit, in addition to the benefits under the policy."

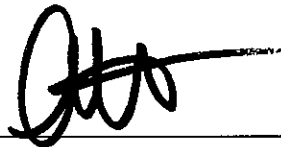
9           SECTION 3. This Act does not affect rights and duties that  
10 matured, penalties that were incurred, and proceedings that were  
11 begun before its effective date.

12           SECTION 4. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

14           SECTION 5. This Act shall take effect upon its approval.

15

INTRODUCED BY:

 BIR

JAN 17 2014



**Report Title:**

Insurance Contracts; Clarifying Amendments

**Description:**

Makes clarifying amendments to the laws on general rules governing insurance contracts with respect to excepted lines of insurance and the conditions under which attorney's fees and costs of suit may be awarded.

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

