

JAN 17 2025

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

4 "§431:10E- Claims for additional living expenses under
5 homeowners insurance policies; states of emergency. (a) In the
6 event of a loss under a homeowners insurance policy issued or
7 renewed on or after January 1, 2026, for which the insured has
8 made a claim for additional living expenses, the insurer shall
9 provide the insured with a list of items that the insurer
10 believes may be covered under the policy as additional living
11 expenses. The list may include a statement that the list is not
12 intended to include all items covered under the policy, but only
13 those that are commonly claimed. Each insurer may use a list
14 developed by the insurance commissioner.

15 (b) If a covered loss occurs during a state of emergency
16 declared pursuant to section 127A-14, coverage for additional
17 living expenses shall be for a period of not less than



twenty-four months from the inception of the loss; provided that the coverage for additional living expenses shall be subject to other policy provisions. An insurer shall grant an extension of up to twelve additional months, for a total of thirty-six months, if an insured acts in good faith and is reasonably delayed due to a lack of necessary construction materials or available contractors to perform the necessary work. Additional six-month extensions shall be provided to policyholders for good cause.

(c) No policy that provides coverage for additional living expenses shall limit the policyholder's right to recovery if the insured premises is rendered uninhabitable by a covered peril. An insurer may, in lieu of making living expense payments, provide a reasonable alternative remedy that addresses the property condition that precludes reasonable habitation of the insured premises. The additional living expense coverage pursuant to this section shall not apply to any utility's public safety power shutdown event involving the deenergization of a portion of the electrical distribution or transmission system to reduce the risk of wildfire ignition.



1 (d) For a loss that is otherwise not subject to
2 subsections (b) or (c), in the event of a state of emergency
3 declared pursuant to section 127A-14 that is related to a
4 covered peril and accompanied by an order of civil authority
5 restricting access to the applicable premises, additional living
6 expenses coverage shall be provided for at least two weeks.
7 Additional two-week extensions shall be provided to a
8 policyholder for good cause; provided that each extension shall
9 be subject to any other applicable policy provision."

10 SECTION 2. New statutory material is underscored.

11 SECTION 3. This Act shall take effect upon its approval.

12
INTRODUCED BY: 



S.B. NO. 1128

Report Title:

Property Insurance; Claims for Additional Living Expenses;
Homeowners Insurance Policies; States of Emergency

Description:

Establishes requirements for insurers relating to claims for additional living expenses under homeowners insurance policies, including situations where losses are incurred during a state of emergency.

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

