



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2025**

ON THE FOLLOWING MEASURE:
S.B. NO. 419, RELATING TO INSURANCE.

BEFORE THE:
SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

DATE: Tuesday, February 25, 2025 **TIME:** 9:34 a.m.

LOCATION: State Capitol, Room 229

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Andrew I. Kim or Christopher J.I. Leong, Deputy Attorneys General

Chair Keohokalole and Members of the Committee:

The Department of the Attorney General provides the following comments.

This bill requires each motor vehicle insurance policy to cover the replacement cost of a child passenger restraint system damaged during a collision for which liability coverage under the policy is applicable.

The requirements under this bill may affect existing contractual obligations between insurers and insureds, potentially conflicting with the Contract Clause of the United States Constitution (U.S. Const. art. I, § 10, cl. 1). To protect the bill against potential contractual impairment issues, we recommend adding a new section, by inserting the following wording after page 4, line 10:

SECTION 4. This Act shall not be applied so as to impair any contract existing as of the effective date of this Act in a manner violative of either the Constitution of the State of Hawaii or Article I, Section 10, of the United States Constitution.

The current sections 4 and 5 should then be renumbered accordingly. Thank you for the opportunity to provide comments.

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SB-419

Submitted on: 2/25/2025 3:51:12 AM

Testimony for CPN on 2/25/2025 9:34:00 AM

Submitted By	Organization	Testifier Position	Testify
April Bautista	Individual	Support	Written Testimony Only

Comments:

As a mom to a toddler, I ask that you support and pass this measure.

Thank you,

April