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# A BILL FOR AN ACT

RELATING TO THE INSURANCE COMMISSIONER.

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

1           SECTION 1. Chapter 17, Hawaii Revised Statutes, is amended  
2 by adding a new section to be appropriately designated and to  
3 read as follows:

4           "§17-     Insurance commissioner.   (a) Whenever any  
5 vacancy in the position of the insurance commissioner occurs,  
6 the term of which ends at the next succeeding general election:

7           (1) The governor shall make an appointment within sixty  
8           calendar days following the first day of vacancy to  
9           fill the vacancy for the unexpired term by selecting a  
10           person from a list of three prospective appointees  
11           submitted by the same political party as the prior  
12           incumbent. The appointee shall be at the time of  
13           appointment, and for at least six months immediately  
14           prior to the appointment, a member of the political  
15           party. The appointee shall, at the time of  
16           appointment, be a resident of the State. The  
17           political party shall submit the list of prospective



1 appointees to the governor within thirty calendar days  
2 following the first day of vacancy; and

3 (2) If the prior incumbent was not a member of any  
4 political party, the governor shall, within sixty  
5 calendar days following the first day of vacancy,  
6 appoint a person who is at the time of appointment a  
7 resident of the State and who is not, and has not been  
8 for at least six months prior to the appointment, a  
9 member of any political party.

10 (b) In the case of a vacancy, the term of which does not  
11 end at the next succeeding general election:

12 (1) If it occurs not later than on the tenth day prior to  
13 the close of filing for the next succeeding primary  
14 election, the vacancy shall be filled for the  
15 unexpired term at the next succeeding general  
16 election. The chief election officer shall issue a  
17 proclamation designating the election for filling the  
18 vacancy. All candidates for the unexpired term shall  
19 be nominated and elected in accordance with this  
20 title. Pending the election, the governor shall make  
21 a temporary appointment to fill the vacancy, and the



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1 person so appointed shall serve until the election of  
2 the person duly elected to fill the vacancy. The  
3 governor shall make the appointment from a list of  
4 three prospective appointees submitted by the same  
5 political party as the prior incumbent. The appointee  
6 shall be, at the time of the appointment, and shall  
7 have been, for at least six months immediately prior  
8 to the appointment, a member of the political party.  
9 The appointee shall, at the time of appointment, be a  
10 resident of the State. If the prior incumbent was not  
11 a member of any political party, the governor shall  
12 appoint a person who is at the time of appointment a  
13 resident of the State and is not and has not been, for  
14 at least six months immediately prior to the  
15 appointment, a member of any political party;  
16 (2) If it occurs later than on the tenth day prior to the  
17 close of filing for the next succeeding primary  
18 election but not later than on the sixtieth day prior  
19 to the next succeeding primary election, or if there  
20 are no qualified candidates for any party or  
21 nonpartisan candidates qualified for the primary



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1 election ballot, nominations for the unexpired term  
2 may be filed not later than 4:30 p.m. on the fiftieth  
3 day prior to the next succeeding primary election.  
4 The chief election officer shall issue a proclamation  
5 designating the election for filling the vacancy.  
6 Pending the election the governor shall make a  
7 temporary appointment to fill the vacancy and the  
8 person appointed shall serve until the election of the  
9 person duly elected to fill the vacancy. The governor  
10 shall make the appointment from a list of three  
11 prospective appointees submitted by the same political  
12 party as the prior incumbent. The appointee shall be,  
13 at the time of the appointment, and shall have been,  
14 for at least six months immediately prior to the  
15 appointment, a member of the political party. The  
16 appointee shall, at the time of appointment, be a  
17 resident of the State. If the prior incumbent was not  
18 a member of any political party, the governor shall  
19 appoint a person who is at the time of appointment a  
20 resident of the State and is not and has not been, for



1           at least six months immediately prior to the  
2           appointment, a member of any political party;  
3       (3) If it occurs after the sixtieth day prior to the next  
4           succeeding primary but not later than on the fiftieth  
5           day prior to the next succeeding general election, or  
6           if there are no qualified candidates for any party or  
7           nonpartisan candidates in the primary, the vacancy  
8           shall be filled for the unexpired term at the next  
9           succeeding general election. The chief election  
10          officer shall issue a proclamation designating the  
11          election for filling the vacancy. Party candidates  
12          for the unexpired term shall be nominated by the  
13          county committees of the parties not later than 4:30  
14          p.m. on the fortieth day prior to the general  
15          election; nonpartisan candidates may file nomination  
16          papers for the unexpired term not later than 4:30 p.m.  
17          on the fortieth day prior to the general election with  
18          the nonpartisan candidate who is to be nominated to be  
19          decided by lot, under the supervision of the chief  
20          election officer. The candidates for the unexpired  
21          term shall be elected in accordance with this title.



1           Pending the election, the governor shall make a  
2           temporary appointment to fill the vacancy, and the  
3           person appointed shall serve until the election of the  
4           person duly elected to fill the vacancy. The governor  
5           shall make the appointment from a list of three  
6           prospective appointees submitted by the same political  
7           party as the prior incumbent. The appointee shall be,  
8           at the time of the appointment, and shall have been,  
9           for at least six months immediately prior to the  
10          appointment, a member of the political party. The  
11          appointee shall, at the time of appointment, be a  
12          resident of the State. If the prior incumbent was not  
13          a member of any political party, the governor shall  
14          appoint a person who is at the time of appointment a  
15          resident of the State and is not and has not been, for  
16          at least six months immediately prior to the  
17          appointment, a member of any political party; and  
18          (4) If it occurs after the fiftieth day prior to the next  
19          succeeding general election or if no candidates are  
20          nominated, the governor shall make an appointment to  
21          fill the vacancy for the unexpired term by selecting a



1 person from a list of three prospective appointees  
2 submitted by the same political party as the prior  
3 incumbent. The appointee shall be, at the time of the  
4 appointment, and shall have been, for at least six  
5 months immediately prior to the appointment, a member  
6 of the political party. The appointee shall, at the  
7 time of appointment, be a resident of the State. If  
8 the prior incumbent was not a member of any political  
9 party, the governor shall appoint a person who is at  
10 the time of appointment a resident of the State and is  
11 not and has not been, for at least six months  
12 immediately prior to the appointment, a member of any  
13 political party."

14 SECTION 2. Section 431:2-102, Hawaii Revised Statutes, is  
15 amended to read as follows:

16 "**§431:2-102 Insurance commissioner.** (a) The insurance  
17 division shall be under the supervision and control of an  
18 administrator who shall be known as the insurance commissioner.  
19 ~~[The director of commerce and consumer affairs shall, with the~~  
20 ~~approval of the governor, appoint the insurance commissioner who~~  
21 ~~shall not be subject to chapter 76. The insurance commissioner~~



1 ~~shall hold the insurance commissioner's office at the pleasure~~  
2 ~~of the director of commerce and consumer affairs]~~ The insurance  
3 commissioner shall be elected and shall be responsible for the  
4 performance of the duties imposed upon the division.

5 (b) The term of office of the insurance commissioner shall  
6 be four years beginning on the day of the general election at  
7 which the insurance commissioner is elected, or if elected at a  
8 primary election, on the day of the general election immediately  
9 following the primary election at which the insurance  
10 commissioner is elected, and ending on the day of the second  
11 general election after the insurance commissioner's election.  
12 The insurance commissioner may be reelected without restriction  
13 as to the number of terms.

14 (c) Any vacancy that may occur through any cause other  
15 than the expiration of the term of office shall be filled in  
16 accordance with section 17- .

17 (d) The first election for the office of the insurance  
18 commissioner shall occur in 2026.

19 ~~[(b)]~~ (e) Commissioner, where used in this code, means the  
20 insurance commissioner of this State."





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1 SECTION 3. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a horizontal line.

JAN 10 2025



# H.B. NO. 23

**Report Title:**

Insurance Commissioner; Elected Position

**Description:**

Changes the position of Insurance Commissioner from an appointed to an elected one, beginning with the 2026 general election.

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

