

MAR 16 2026

SENATE CONCURRENT RESOLUTION

URGING THE INSURANCE DIVISION OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS AND DEPARTMENT OF THE ATTORNEY GENERAL TO CONVENE A WORKING GROUP TO IDENTIFY FEASIBLE OPTIONS AND MECHANISMS TO PROTECT THE STATE AND ITS RESIDENTS AGAINST THE EFFECTS OF CLIMATE CHANGE ON THE AVAILABILITY AND AFFORDABILITY OF INSURANCE.

1 WHEREAS, climate disasters have caused widespread harm to
2 the State and its residents, including the destruction of homes
3 and property, loss of wages, escalating insurance costs and
4 losses, depletion of public resources, and injuries to the
5 health, safety, and livelihoods of residents of the State; and
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7 WHEREAS, climate disasters threaten the functionality of
8 the regular insurance market and the residual market, or
9 "insurers of last resort", like the Hawaii Property Insurance
10 Association, as well as taxpayer resources in the state-funded
11 Hawaii Hurricane Relief Fund; and
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13 WHEREAS, property and casualty insurance providers have
14 been destabilized by increasingly severe climate disasters,
15 which has led to increased nonrenewal rates and premiums across
16 the State; and
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18 WHEREAS, access to affordable insurance is necessary for
19 the stability and financial health of residents of the State,
20 but is threatened by increasing nonrenewal rates and rapidly
21 rising premiums; and
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23 WHEREAS, there is a compelling state interest in preserving
24 insurance market stability, essential coverage for property
25 owners and lenders, and affordable housing for the State's
26 residents; and
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28 WHEREAS, the climate disasters underlying the insurance
29 crisis in the State are the result of a coordinated campaign of



1 deception launched and orchestrated by major fossil fuel
2 companies. These companies have known for decades that their
3 products cause global warming and increase the frequency and
4 severity of climate disasters. Despite this knowledge, these
5 companies concealed and misrepresented the associated risks,
6 sowed confusion, and failed to warn the public of the dangers
7 created and exacerbated by their products; and

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9 WHEREAS, the consequence of this deceptive conduct by
10 responsible parties is making insurance coverage harder to
11 obtain and less affordable in the State; and

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13 WHEREAS, the costs of these climate disasters should be
14 borne by those responsible for causing them, rather than
15 taxpayers, insurance policyholders, and residents harmed by the
16 climate disasters; and

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18 WHEREAS, insurers and injured parties have previously
19 pursued claims against responsible parties related to the opioid
20 epidemic, big tobacco, and other major parties responsible for
21 widespread damages affecting insurance premiums to ensure that
22 the burden of financial loss does not fall solely on
23 policyholders and taxpayers; and

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25 WHEREAS, many cities, counties, and states in the United
26 States have filed lawsuits accusing companies in the fossil fuel
27 industry of deceptive marketing, misleading shareholders, and
28 culpability for climate damages; and

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30 WHEREAS, this body finds that it is critical to address
31 climate-related impacts to the State due to the State's
32 vulnerability to extreme weather events and climate change; now,
33 therefore,

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35 BE IT RESOLVED by the Senate of the Thirty-third
36 Legislature of the State of Hawaii, Regular Session of 2026, the
37 House of Representatives concurring, that the Insurance Division
38 of the Department of Commerce and Consumer Affairs and
39 Department of the Attorney General are urged to convene a
40 working group to identify feasible options and mechanisms to
41 protect the State and its residents against the effects of



1 climate change on the availability and affordability of
2 insurance; and

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4 BE IT FURTHER RESOLVED that the working group is requested
5 to:

- 6
7 (1) Assess the State's and residents' insurance exposure
8 to extreme weather events and natural disasters that
9 may be impacted by climate change;
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11 (2) Identify existing mechanisms available to the State
12 and residents for recovery; and
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14 (3) Identify and analyze the legal means available to the
15 State, including the Attorney General, to seek
16 recovery from responsible parties, including large oil
17 and gas companies, to address insurance exposures
18 identified by the working group; and
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20 BE IT FURTHER RESOLVED that the working group's membership
21 is requested to consist of the following members or their
22 designees:

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24 (1) The Insurance Commissioner;
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26 (2) The Attorney General;
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28 (3) The Chair of the Senate Standing Committee on Commerce
29 and Consumer Protection;
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31 (4) The Chair of the House Standing Committee on Consumer
32 Protection and Commerce;
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34 (5) Interested Senators and Representatives who may be
35 invited by the Chair of the working group;
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37 (6) The Administrator of the Hawaii Hurricane Relief Fund;
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39 (7) The Administrator of the Hawaii Property Insurance
40 Association;
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1 (8) The Director of the Office of Planning and Sustainable
2 Development; and

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4 (9) Experts with relevant knowledge who may be invited by
5 the Chair of the working group; and

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7 BE IT FURTHER RESOLVED that the members of the working
8 group are requested to elect a chair and vice chair of the
9 working group from amongst themselves; and

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11 BE IT FURTHER RESOLVED that the working group, with the
12 administrative assistance of the Insurance Division of the
13 Department of Commerce and Consumer Affairs and Department of
14 the Attorney General, is requested to submit a report of its
15 findings and recommendations, including any proposed
16 legislation, to the Legislature no later than twenty days prior
17 to the convening of the Regular Session of 2027; and

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19 BE IT FURTHER RESOLVED that the working group be dissolved
20 on June 30, 2027; and

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22 BE IT FURTHER RESOLVED that certified copies of this
23 Concurrent Resolution be transmitted to the Insurance
24 Commissioner, Attorney General, Chair of the Senate Standing
25 Committee on Commerce and Consumer Protection, Chair of the
26 House Standing Committee on Consumer Protection and Commerce,
27 Director of the Office of Planning and Sustainable Development,
28 Administrator of the Hawaii Hurricane Relief Fund, and
29 Administrator of the Hawaii Property Insurance Association.

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OFFERED BY:  _____

