

MAR 16 2026

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## SENATE 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  
30 deception launched and orchestrated by major fossil fuel  
31 companies. These companies have known for decades that their  
32 products cause global warming and increase the frequency and



1 severity of climate disasters. Despite this knowledge, these  
2 companies concealed and misrepresented the associated risks,  
3 sowed confusion, and failed to warn the public of the dangers  
4 created and exacerbated by their products; and

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

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

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

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

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

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32 BE IT RESOLVED by the Senate of the Thirty-third  
33 Legislature of the State of Hawaii, Regular Session of 2026,  
34 that the Insurance Division of the Department of Commerce and  
35 Consumer Affairs and Department of the Attorney General are  
36 urged to convene a working group to identify feasible options  
37 and mechanisms to protect the State and its residents against  
38 the effects of climate change on the availability and  
39 affordability of insurance; and

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41 BE IT FURTHER RESOLVED that the working group is requested  
42 to:



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- (1) Assess the State's and residents' insurance exposure to extreme weather events and natural disasters that may be impacted by climate change;
- (2) Identify existing mechanisms available to the State and residents for recovery; and
- (3) Identify and analyze the legal means available to the State, including the Attorney General, to seek recovery from responsible parties, including large oil and gas companies, to address insurance exposures identified by the working group; and

BE IT FURTHER RESOLVED that the working group's membership is requested to consist of the following members or their designees:

- (1) The Insurance Commissioner;
- (2) The Attorney General;
- (3) The Chair of the Senate Standing Committee on Commerce and Consumer Protection;
- (4) The Chair of the House Standing Committee on Consumer Protection and Commerce;
- (5) Interested Senators and Representatives who may be invited by the Chair of the working group;
- (6) The Administrator of the Hawaii Hurricane Relief Fund;
- (7) The Administrator of the Hawaii Property Insurance Association;
- (8) The Director of the Office of Planning and Sustainable Development; and
- (9) Experts with relevant knowledge who may be invited by the Chair of the working group; and



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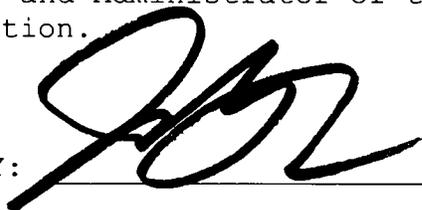
1 BE IT FURTHER RESOLVED that the members of the working  
2 group are requested to elect a chair and vice chair of the  
3 working group from amongst themselves; and  
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5 BE IT FURTHER RESOLVED that the working group, with the  
6 administrative assistance of the Insurance Division of the  
7 Department of Commerce and Consumer Affairs and Department of  
8 the Attorney General, is requested to submit a report of its  
9 findings and recommendations, including any proposed  
10 legislation, to the Legislature no later than twenty days prior  
11 to the convening of the Regular Session of 2027; and  
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13 BE IT FURTHER RESOLVED that the working group be dissolved  
14 on June 30, 2027; and  
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16 BE IT FURTHER RESOLVED that certified copies of this  
17 Resolution be transmitted to the Insurance Commissioner,  
18 Attorney General, Chair of the Senate Standing Committee on  
19 Commerce and Consumer Protection, Chair of the House Standing  
20 Committee on Consumer Protection and Commerce, Director of the  
21 Office of Planning and Sustainable Development, Administrator of  
22 the Hawaii Hurricane Relief Fund, and Administrator of the  
23 Hawaii Property Insurance Association.  
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OFFERED BY: \_\_\_\_\_

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