
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
27

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



1 companies. These companies have known for decades that their
2 products cause global warming and increase the frequency and
3 severity of climate disasters. Despite this knowledge, these
4 companies concealed and misrepresented the associated risks,
5 sowed confusion, and failed to warn the public of the dangers
6 created and exacerbated by their products; and
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8 WHEREAS, the consequence of this deceptive conduct by
9 responsible parties is making insurance coverage harder to
10 obtain and less affordable in the State; and
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12 WHEREAS, the costs of these climate disasters should be
13 borne by those responsible for causing them, rather than
14 taxpayers, insurance policyholders, and residents harmed by the
15 climate disasters; and
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17 WHEREAS, insurers and injured parties have previously
18 pursued claims against responsible parties related to the opioid
19 epidemic, big tobacco, and other major parties responsible for
20 widespread damages affecting insurance premiums to ensure that
21 the burden of financial loss does not fall solely on
22 policyholders and taxpayers; and
23

24 WHEREAS, many cities, counties, and states in the United
25 States have filed lawsuits accusing companies in the fossil fuel
26 industry of deceptive marketing, misleading shareholders, and
27 culpability for climate damages; and
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29 WHEREAS, this body finds that it is critical to address
30 climate-related impacts to the State due to the State's
31 vulnerability to extreme weather events and climate change; now,
32 therefore,
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34 BE IT RESOLVED by the Senate of the Thirty-third
35 Legislature of the State of Hawaii, Regular Session of 2026,
36 that the Insurance Division of the Department of Commerce and
37 Consumer Affairs and Department of the Attorney General are
38 urged to convene a working group to identify feasible options
39 and mechanisms to protect the State and its residents against
40 the effects of climate change on the availability and
41 affordability of insurance; and
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1 BE IT FURTHER RESOLVED that the working group is requested
2 to:

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- 4 (1) Assess the State's and residents' insurance exposure
- 5 to extreme weather events and natural disasters that
- 6 may be impacted by climate change;
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- 8 (2) Identify existing mechanisms available to the State
- 9 and residents for recovery; and
- 10
- 11 (3) Identify and analyze the legal means available to the
- 12 State, including the Attorney General, to seek
- 13 recovery from responsible parties, including large oil
- 14 and gas companies, to address insurance exposures
- 15 identified by the working group; and
- 16

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

- 20
- 21 (1) The Insurance Commissioner;
- 22
- 23 (2) The Attorney General;
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- 25 (3) The Chair of the Senate Standing Committee on Commerce
- 26 and Consumer Protection;
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- 28 (4) The Chair of the House Standing Committee on Consumer
- 29 Protection and Commerce;
- 30
- 31 (5) Interested Senators and Representatives who may be
- 32 invited by the Chair of the working group;
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- 34 (6) The Administrator of the Hawaii Hurricane Relief Fund;
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- 36 (7) The Administrator of the Hawaii Property Insurance
- 37 Association;
- 38
- 39 (8) The Director of the Office of Planning and Sustainable
- 40 Development;
- 41



1 (9) Chief of the Hawaii Office of Recovery and Resiliency;
2 and

3
4 (10) 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 share its findings and
15 recommendations, including any proposed legislation, with the
16 Senate Standing Committee on Commerce and Consumer Protection
17 and House Standing Committee on Consumer Protection and Commerce
18 no later than twenty days prior to the convening of the Regular
19 Session of 2027; and
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21 BE IT FURTHER RESOLVED that the working group be dissolved
22 on June 30, 2027; and
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24 BE IT FURTHER RESOLVED that certified copies of this
25 Resolution be transmitted to the Insurance Commissioner,
26 Attorney General, Chair of the Senate Standing Committee on
27 Commerce and Consumer Protection, Chair of the House Standing
28 Committee on Consumer Protection and Commerce, Director of the
29 Office of Planning and Sustainable Development, Administrator of
30 the Hawaii Hurricane Relief Fund, Administrator of the Hawaii
31 Property Insurance Association, and Chief of the Hawaii Office
32 of Recovery and Resiliency.

