

ACT 54

H.B. NO. 225

A Bill for an Act Relating to the Hawaii Insurance Law.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 431-316, Hawaii Revised Statutes, is amended to read:

“Sec. 431-316 Fees. (a) The insurance commissioner shall collect in advance the following fees:

- (1) Certificate of authority:
 - (A) Issuance \$300
 - (2) Organization of domestic insurers and affiliated corporations:
 - (A) Application and all other papers required for issuance of solicitation permit, filing \$500
 - (B) Issuance of solicitation permit..... \$ 50
 - (3) General agent’s license:
 - (A) Issuance, regular license \$ 25
 - (B) Issuance, temporary license \$ 25
 - (4) Subagent’s license:
 - (A) Issuance, regular license \$ 25
 - (B) Issuance, temporary license \$ 25
 - (5) Nonresident agent’s or broker’s license:
 - (A) Issuance \$ 20
 - (6) Solicitor’s license:
 - (A) Issuance \$ 20
 - (7) Independent adjuster’s license:
 - (A) Issuance \$ 20
 - (8) Public adjuster’s license:
 - (A) Issuance \$ 20
 - (9) Surplus line broker’s license:
 - (A) Issuance \$ 50
 - (10) Examination for license:
 - (A) For each examination, a fee to be established by the commissioner by rule adopted in accordance with chapter 91.
- (b) The fees for services of the department of regulatory agencies subsequent to the issuance of a certificate of authority or a license are as follows:
- (1) \$200 per year for all services (including extension of the certificate of authority) for an authorized insurer.

- (2) \$25 per year for all services (including extension of the license) for a regularly licensed general agent.
- (3) \$25 per year for all services (including extension of the license) for a regularly licensed subagent.
- (4) \$15 per year for all services (including extension of the license) for a regularly licensed nonresident broker.
- (5) \$10 per year for all services (including extension of the license) for a regularly licensed solicitor.
- (6) \$15 per year for all services (including extension of the license) for a regularly licensed independent adjuster.
- (7) \$15 per year for all services (including extension of the license) for a regularly licensed public adjuster.
- (8) \$15 per year for all services (including extension of the license) for a licensed surplus line broker.
- (9) The services referred to in items (1) to (8) of this subsection (b) shall not include services in connection with examinations, investigations, hearings, appeals, and deposits with a depository other than the department of regulatory agencies.
- (c) The insurance commissioner shall calculate the fee, provided for in subsection (b) of this section, for the period of time which ends upon the next succeeding extension date of the certificate of authority determined pursuant to section 431-94 or the license determined pursuant to section 431-399, and shall so notify the holder of the certificate or the license by written notice at least thirty days prior to the extension date. The fee so calculated shall be due on the extension date. If the fee is not paid before or on the extension date, the fee will be increased by a penalty in the amount of fifty per cent of the fee. If the fee and the penalty are not paid within the thirty days immediately following the extension date, the commissioner may revoke the certificate of authority or license and shall not reissue the certificate of authority or license until the fee and penalty have been paid.
- (d) All fees and penalties so calculated shall be remitted by the commissioner to the director of finance not later than the first business day following collection, and shall be placed to the credit of the general fund.
- (e) In the event a certificate holder or a licensee voluntarily terminates his certificate of authority or license prior to the extension date thereof, and has paid in advance fees, provided for in subsection (b) of this section, which have not been earned by the department of regulatory agencies and which amount to more than \$5, the commissioner shall at the time of such termination, authorize a refund thereof out of the general funds of the State by submitting a voucher therefor to the comptroller."

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

*Edited accordingly.

SECTION 3. This Act shall take effect 90 days after approval.
(Approved May 8, 1978.)