



STATE OF HAWAII  
INSURANCE DIVISION  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
335 MERCHANT STREET, ROOM 213  
HONOLULU, HAWAII 96813

## **SURPLUS LINES** **GENERAL INFORMATION & DEFINITIONS**

### **General Information**

Hawaii Revised Statutes Article 8, Unauthorized Insurers and Surplus Lines, shall apply to the placement of insurance on any subject resident, located, or to be performed in this State, in insurers not authorized to transact insurance in this State.

For additional information on surplus lines, visit the Hawaii website at:

[www.capitol.hawaii.gov/hrscurrent/vol09\\_ch0431-0435e/hrs0431](http://www.capitol.hawaii.gov/hrscurrent/vol09_ch0431-0435e/hrs0431)

Then sections hrs\_0431-0008-0101.htm through hrs\_0431-0008-0320.htm

### **Definitions**

**“Surplus Lines insurance”** means any insurance on risks resident, located or to be performed in this State, procured from or placed with an unauthorized insurer in accordance with part III of this article. (HRS §431:8-102)

**“Surplus lines broker”** means any producer licensed under section 431:8-310 to place insurance on risks resident, located, or to be performed in this State with unauthorized insurers. (HRS §431:8-102)

**“Unauthorized insurer”** means an insurer not holding a valid certificate of authority to transact an insurance business in this State. (HRS §431:8-102)

**“Authorized insurer”** means an insurer holding a valid certificate of authority to transact an insurance business in this State. (HRS §431:8-102)

**“Person”** means any individual, company, insurer, association, organization, group, reciprocal or interinsurance exchanges, partnership, business, trust, or corporation. (HRS § 431:1-212)

**“Gross Premiums”** means the amount of the policy or coverage premium charged by the insurer in consideration for the insurance contract. Any charges for policy, survey, inspection, service, or similar fees or other charges added by the broker shall not be considered part of gross premiums. *(HRS §431:8-315 part of a)*

### **Tax Rate**

The tax rate for Surplus Lines Brokers is 4.68% of gross premiums, less return premiums, on taxable surplus lines insurance. *(HRS §431:8-315).*

The tax rate for insurance Independently Procured is 4.68% of gross premiums, less return premiums, on taxable surplus lines insurance. *(HRS §431:8-205).*

### **Who to Contact**

For any inquiries and questions please send e-mail to [InsExamSLB@dcca.hawaii.gov](mailto:InsExamSLB@dcca.hawaii.gov)

### **IMPORTANT!**

**PLEASE DO NOT EMAIL ANY FILE ATTACHMENTS DUE TO CAPACITY CONSTRAINTS IN OUR EMAIL SYSTEM.**