Section 1 Header

2026 SESSION

26-2199.2
07/06

SENATE BILL ***[bill number]***

AN ACT relative to reports and notices by the commissioner of the insurance department regarding insurance risks associated with extreme weather.

SPONSORS: [sponsors]

COMMITTEE: [committee]

ANALYSIS

This bill makes changes to reports and notices given by the commissioner of the insurance department regarding insurance risks associated with extreme weather.

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Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

26-2199.2
07/06

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to reports and notices by the commissioner of the insurance department regarding insurance risks associated with extreme weather.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Paragraph; Insurance; Regulation of Forms and Rates for Property and Casualty Insurance; Purpose. Amend RSA 412:1 by inserting after paragraph X the following new paragraph:

XI. To promote incentives for fortified home and commercial standards, and other mitigation and resiliency programs.

2 New Paragraph; Insurance; Regulation of Forms and Rates for Property and Casualty Insurance; Definitions. Amend RSA 412:3 by inserting after paragraph XXIV the following new paragraph:

XXV. "Fortified home and commercial standards" means mitigation and resiliency programs or other measures taken to reduce loss due to extreme precipitation events, storm surge, and coastal flooding, high winds, hurricanes, and hail, as developed by the commissioner.

3 New Paragraph; Insurance; Regulation of Forms and Rates for Property and Casualty Insurance; Consumer Information. Amend RSA 412:4 by inserting after paragraph III the following new paragraph:

IV. The commissioner shall utilize, develop, or cause to be developed consumer information which shall be provided on a readily available basis to purchasers of homeowners, private passenger nonfleet automobile, or property insurance for personal, family, household needs, commercial property risks, and personal risks not otherwise specified herein related to fortified home and commercial standards, and other mitigation and resiliency programs. The report shall also include references to available information on areas that may be at risk of insurance coverage loss or price increases due to extreme precipitation, storm surge, coastal flooding, high winds, hurricanes, and hail. For the purposes of this section, the commissioner shall consult RSA 483-B:22, FEMA flood maps, the National Flood Insurance Program, and any other available mapping that may include projected threats, including first street maps, the New Hampshire coastal viewer, and the department of environmental services coastal program, to determine areas of present and future risk to insurance coverage. The report may also include a summary of any information the commissioner may have received, provided by insurers, on the rate of premium cost increases in such areas. This report shall be made available by January 1, 2028, and in subsequent 5 year intervals. The commissioner may establish an advisory council to undertake these duties, under RSA 400-A:11, which may be authorized to seek grants, donations, and other sources of funding, or from any fee authorized under RSA 400:A-29, XVI.

4 Insurance; Regulation of Forms and Rates for Property and Casualty Insurance; Rate Standards. Amend RSA 412:15, II to read as follows:

II. In determining whether rates comply with the excessiveness standard in a noncompetitive market under subparagraph I(b), ***the standards under II(b),*** the inadequacy standards under subparagraph I(c) and the unfair discrimination standard under subparagraph I(d), the following criteria shall apply:

(a) Due consideration shall be given to past and prospective loss experience within and outside this state; to the conflagration and catastrophe hazards; to a reasonable margin for profit and contingencies; to dividends, savings, or unabsorbed premium deposits allowed or returned by insurers to their policyholders, members or subscribers; to past and prospective expenses both countrywide and those specifically applicable to this state; and to provisions for special assessments and to all other relevant factors within and outside the state.

(b) [~~Risks may be grouped by classifications for the establishment of rates and minimum premiums. Classification rates may be modified to produce rates for individual risks in accordance with rating plans that establish standards for measuring variations in hazards or expense provisions, or both. Such standards may measure any differences among risks that can be demonstrated to have a probable effect upon losses or expenses. No risk classification, however, may be based upon race, creed, national origin or the religion of the insured.~~] ***Due consideration shall be given to fortified home and commercial standards and other mitigation and resiliency programs measures taken to reduce loss due to extreme precipitation events, storm surge, and coastal flooding, high winds, hurricanes, and hail. The commissioner shall develop fortified home and commercial standards with reference to science-based standards developed by national insurance organizations recognized by insurance companies licensed in New Hampshire.***

(c) The expense provisions included in the rates to be used by an insurer shall reflect the operating methods of the insurer and its anticipated expenses.

(d) The rates may contain provision for contingencies and an allowance permitting a reasonable profit. In determining the reasonableness of the profit, consideration shall be given to all investment income attributable to the line of insurance.

5 New Subparagraph; Insurance; Unfair Insurance Trade Practices; Unfair Methods, Acts, and Practices. Amend RSA 417:4, VIII by inserting after subparagraph (h) the following new subparagraph:

(i) For purposes of this section, "place" or "area of residence" shall include projected conditions in places or areas the commissioner has indicated will be subject to increasing extreme precipitation, storm sure, coastal flooding, high winds, hurricanes, or hail.

6 New Section; Insurance; Unfair Insurance Trade Practices; Report. Amend RSA 417 by inserting after section 17 the following new section:

417:17-a Report.

I. To promote awareness of and incentives for fortified home and commercial standards, and other mitigation and resiliency programs, the commissioner shall utilize, develop, or cause to be developed a report which shall be provided on a readily available basis to purchasers of personal property and commercial property risks insurance related to fortified home and commercial standards, and other mitigation and resiliency programs. The information may include references to available information on areas that may be at risk of insurance coverage loss or price increases due to extreme precipitation, storm surge, coastal flooding, high winds, hurricanes, and hail. For the purposes of this section, the commissioner shall consult RSA 483-B:22, FEMA flood maps, the National Flood Insurance Program, and any other available mapping that may include projected threats, including first street maps, the New Hampshire coastal viewer, and the department of environmental services coastal program, to determine areas of present and future risk to insurance coverage. The report may also include a summary of any information the commissioner may have received, provided by insurers, on the rate of premium cost increases in such areas. This report shall be made available by January 1, 2028, and in subsequent 5-year intervals. The commissioner may establish an advisory council to undertake these duties, under RSA 400-A:11, which may be authorized to seek grants, donations, and other sources of funding, or from any fee authorized under RSA 400:A-29, XVI.

II. For the purposes of this section, "fortified home and commercial standards and other mitigation and resiliency programs" means measures taken to reduce loss due to extreme precipitation events, storm surge, and coastal flooding, high winds, hurricanes, or hail, as developed by the commissioner.

7 Insurance; Cancellation, Refusal to Write, Refusal to Renew Certain Property and Liability Insurance; Cancellation Grounds. Amend RSA 417-B:3, V to read as follows:

V. Physical changes in the insured property which result in the property becoming [~~insurable~~] ***uninsurable, with the provision that due consideration be given to fortified home and commercial standards developed by the commissioner and other mitigation and resiliency programs mean measures established in statute or by the commissioner***.

8 Effective Date. This act shall take effect January 1, 2027.