

Bessie Daschbach and Scott Seaman Discuss the Insurance Implications of the ESG Divide in Law360 Expert Analysis

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Hinshaw partners Bessie Daschbach and Scott Seaman recently authored a *Law360* “Expert Analysis” byline discussing the implications of a pushback on environmental, social, and governance (ESG) considerations on insurers. Daschbach and Seaman discuss both anti-ESG and pro-ESG state legislation and key takeaways for insurers and other corporations.

They examine recent anti-ESG legislation in Florida and Texas and note that “[an]ti-ESG legislative developments extend far beyond Florida and Texas. In fact, in March, Gov. DeSantis announced an alliance with 18 other Republican governors targeting the use of ESG factors in their states.” They also discuss pro-ESG legislation in states including California, Colorado, and New York noting, “There is corresponding activity in some states favoring the use of ESG factors, pointedly underscoring the question at the heart of the ESG debate — namely, what is the business of businesses.”

The authors state, “Beyond the importance of monitoring legal and market developments and adjusting ESG policies as warranted, businesses would be well-advised to anticipate increased scrutiny as to any policies, programs or practices that might be characterized as being in furtherance of environmental or social considerations...” They add that insurers should examine their policyholders’ regulatory compliance.

[Read the full article](#) (*subscription required*)

“What The ESG Divide Means For Insurers And Beyond” was published by *Law360* on July 13, 2023.

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