

State	Punitive damages awardable?	Punitive damages insurable?	Standard of proof	Variation / Notes
Alabama	Yes	Yes	Clear and convincing	Directly insurable (subject to policy terms).
Alaska	Yes	Yes	Clear and convincing	Directly insurable (subject to policy terms).
Arizona	Yes	Yes	Clear and convincing	Directly insurable (subject to policy terms).
Arkansas	Yes	Yes	Clear and convincing	Directly insurable (subject to policy terms).
California	Yes	No	Clear and convincing	Not insurable as a matter of public policy.
Colorado	Yes	No	Beyond a reasonable doubt	Not insurable as a matter of public policy.
Connecticut	Yes	Depends	Preponderance of evidence	Unclear / fact-specific or context-dependent.
Delaware	Yes	Yes	Clear and convincing	Directly insurable (subject to policy terms).
Florida	Yes	No	Clear and convincing	Generally not insurable for direct liability; vicarious punitive damages may be insurable.
Georgia	Yes	Yes	Clear and convincing	Directly insurable (subject to policy terms).
Hawaii	Yes	Yes	Clear and convincing	Directly insurable (subject to policy terms).
Idaho	Yes	Yes	Clear and convincing	Directly insurable (subject to policy terms).
Illinois	Yes	No	Preponderance of evidence	Generally not insurable for direct liability; vicarious punitive damages may be insurable.
Indiana	Yes	Probably No	Clear and convincing	Generally not insurable for direct liability; vicarious punitive damages may be insurable.
Iowa	Yes	Yes	Clear and convincing	Directly insurable (subject to policy terms).
Kansas	Yes	No	Clear and convincing	Generally not insurable for direct liability; vicarious punitive damages may be insurable.
Kentucky	Yes	Yes	Clear and convincing	Directly insurable (subject to policy terms).
Louisiana	Yes (only by statute)	Yes	Preponderance of evidence	Directly insurable (subject to policy terms).
Maine	Yes	No	Clear and convincing	Not insurable as a matter of public policy.
Maryland	Yes	Yes	Clear and convincing	Directly insurable (subject to policy terms).
Massachusetts	Yes	Depends	Preponderance of evidence	Unclear / fact-specific or context-dependent.
Michigan	No	Undetermined	Undetermined	N/A (state does not allow punitive damages).
Minnesota	Yes	No	Clear and convincing	Generally not insurable for direct liability; vicarious punitive damages may be insurable.
Mississippi	Yes	Yes	Clear and convincing	Directly insurable (subject to policy terms).
Missouri	Yes	Unclear	Clear and convincing	Unclear / fact-specific or context-dependent.
Montana	Yes	Yes	Clear and convincing	Directly insurable (subject to policy terms).
Nebraska	No	No	Not applicable	N/A (state does not allow punitive damages).
Nevada	Yes	Yes	Clear and convincing	Directly insurable (subject to policy terms).
New Hampshire	Yes (only by statute)	Yes	Undetermined	Directly insurable (subject to policy terms).
New Jersey	Yes	No	Clear and convincing	Generally not insurable for direct liability; vicarious punitive damages may be insurable.
New Mexico	Yes	Yes	Preponderance of evidence	Directly insurable (subject to policy terms).
New York	Yes	No	No clear standard	Not insurable as a matter of public policy.
North Carolina	Yes	Yes	Clear and convincing	Directly insurable (subject to policy terms).
North Dakota	Yes	Undetermined	Clear and convincing	Unclear / fact-specific or context-dependent.
Ohio	Yes	Depends	Clear and convincing	Unclear / fact-specific or context-dependent.
Oklahoma	Yes	No	Clear and convincing	Generally not insurable for direct liability; vicarious punitive damages may be insurable.
Oregon	Yes	Yes	Clear and convincing	Directly insurable (subject to policy terms).
Pennsylvania	Yes	No	Clear and convincing	Generally not insurable for direct liability; vicarious punitive damages may be insurable.
Rhode Island	Yes	No	Clear and convincing	Not insurable as a matter of public policy.
South Carolina	Yes	Yes	Clear and convincing	Directly insurable (subject to policy terms).
South Dakota	Yes (only by statute)	Undetermined	Clear and convincing	Unclear / fact-specific or context-dependent.
Tennessee	Yes	Yes	Clear and convincing	Directly insurable (subject to policy terms).
Texas	Yes	Depends	Clear and convincing	Unclear / fact-specific or context-dependent.
Utah	Yes	No	Clear and convincing	Not insurable as a matter of public policy.
Vermont	Yes	Yes	Preponderance of evidence	Directly insurable (subject to policy terms).
Virginia	Yes	Yes	Preponderance of evidence	Directly insurable (subject to policy terms).
Washington	No	Not applicable	Not applicable	N/A (state does not allow punitive damages).
West Virginia	Yes	Yes	Preponderance of evidence	Directly insurable (subject to policy terms).
Wisconsin	Yes	Yes	Clear and convincing	Directly insurable (subject to policy terms).
Wyoming	Yes	Yes	No clear standard	Directly insurable (subject to policy terms).