
A BILL FOR AN ACT

RELATING TO CIVIL LIABILITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 663, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§663- Emergency; limited liability of private property
5 owner. (a) An owner of private property shall not be liable
6 for any injury, death, loss, or damage suffered by a person who
7 was allowed on the premises due to an emergency by the owner of
8 the private property or an agent of the owner of the private
9 property, unless the injury, death, loss, or damage was:

10 (1) Intentionally inflicted upon the person by the owner
11 of the private property or an agent of the owner of
12 the private property; or

13 (2) Caused by the gross negligence of the owner of the
14 private property or an agent of the owner of the
15 private property.

16 (b) For the purposes of this section, "emergency" means a
17 situation in which life, health, or property is in jeopardy,
18 demanding immediate assistance."



1 SECTION 2. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 3. New statutory material is underscored.

5 SECTION 4. This Act shall take effect upon its approval.

6

INTRODUCED BY:

Handwritten signatures of Jessica Wang and Kal Hood over a horizontal line.

JAN 24 2012



H.B. NO. 2686

Report Title:

Emergency Shelter; Private Property Owner; Limited Liability

Description:

Exempts the owners of private property from liability for injury, death, loss, or damage suffered by another if the person was allowed on the premises due to an emergency, unless it was intentionally inflicted or occurred by the gross negligence of the private property owner or an agent of the private property owner.

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