
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- Providing access to land, shelter, and
5 subsistence during a disaster; exemption from liability. (a)
6 Any owner of private property who in good faith provides access
7 to land, shelter, or subsistence, including food and water, to a
8 person during a disaster without remuneration or expectation of
9 remuneration, shall be exempt from civil liability for any
10 injury or damage suffered by the person that resulted from the
11 owner providing such access, shelter, or subsistence, unless the
12 injury or damage was caused by the gross negligence or
13 intentional or wanton acts or omissions of the owner.

14 (b) For the purposes of this section:

15 "Disaster" means a nonroutine event that exceeds the
16 capacity of persons in the affected area to respond to it in
17 such a way as to save lives, preserve property, or to maintain



1 the social, ecological, economic, or political stability of the
2 affected area.

3 "Owner" means the possessor of a fee interest, or a tenant,
4 lessee, occupant, person, group, club, partnership, family,
5 organization, entity, or corporation that is in control,
6 possession, or use of the land, and their members, agents,
7 partners, representatives, shareholders, and employees."

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

11 SECTION 3. New statutory material is underscored.

12 SECTION 4. This Act shall take effect on January 7, 2059.



Report Title:

Emergency Shelter; Private Property Owner; Limited Liability

Description:

Exempts an owner of private property who provides access to land, shelter, or subsistence to a person in good faith during a disaster from liability for injury or damage suffered by the person, unless it was caused by the gross negligence or intentional or wanton acts or omissions of the owner of the land. Effective January 7, 2059. (HB2686 HD1)

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