



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 29, 2018

GOV. MSG. NO. 1199

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Twenty-Ninth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Twenty-Ninth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 29, 2018, the following bill was signed into law:

SB2719 SD1 HD1 CD1

RELATING TO SEXUAL VIOLENCE
ACT 098 (18)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO SEXUAL VIOLENCE.

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

1 SECTION 1. Section 657-1.8, Hawaii Revised Statutes, is
2 amended by amending subsections (a) and (b) to read as follows:

3 "(a) Notwithstanding any law to the contrary, except as
4 provided under subsection (b), no action for recovery of damages
5 based on physical, psychological, or other injury or condition
6 suffered by a minor arising from the sexual abuse of the minor
7 by any person shall be commenced against the person who
8 committed the act of sexual abuse more than:

9 (1) Eight years after the eighteenth birthday of the minor
10 or the person who committed the act of sexual abuse
11 attains the age of majority, whichever occurs later;
12 or

13 (2) Three years after the date the minor discovers or
14 reasonably should have discovered that psychological
15 injury or illness occurring after the [age of] minor's
16 eighteenth birthday was caused by the sexual abuse,
17 whichever comes later.



1 A civil cause of action for the sexual abuse of a minor
2 shall be based upon sexual acts that constituted or would have
3 constituted a criminal offense under part V or VI of chapter
4 707.

5 (b) For a period of [~~four~~] eight years after April 24,
6 2012, a victim of child sexual abuse that occurred in this State
7 may file a claim in a circuit court of this State against the
8 person who committed the act of sexual abuse if the victim is
9 barred from filing a claim against the victim's abuser due to
10 the expiration of the applicable civil statute of limitations
11 that was in effect prior to April 24, 2012.

12 A claim may also be brought under this subsection against a
13 legal entity if:

14 (1) The person who committed the act of sexual abuse
15 against the victim was employed by an institution,
16 agency, firm, business, corporation, or other public
17 or private legal entity that owed a duty of care to
18 the victim; or

19 (2) The person who committed the act of sexual abuse and
20 the victim were engaged in an activity over which the



1 legal entity had a degree of responsibility or
2 control.

3 Damages against the legal entity shall be awarded under
4 this subsection only if there is a finding of gross negligence
5 on the part of the legal entity."

6 SECTION 2. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 3. This Act shall take effect on July 1, 2018, and
9 shall apply retroactively to April 24, 2012.

APPROVED this 29 day of JUN, 2018

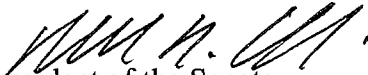



GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI'I

Date: May 1, 2018
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the
Senate of the Twenty-ninth Legislature of the State of Hawai'i, Regular Session of 2018.


President of the Senate


Clerk of the Senate

SB No. 2719, SD 1, HD 1, CD 1

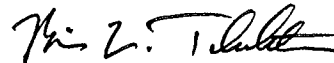
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 1, 2018
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2018.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives