The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Thirtieth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

The Honorable Scott K. Saiki,  
Speaker and Members of the  
House of Representatives  
Thirtieth State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

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

This is to inform you that on June 21, 2019, the following bill was signed into law:

HB356 HD1 SD1 RELATING TO CLAIMS AGAINST THE STATE.  
ACT 118 (19)

Sincerely,

DAVID Y. IGE  
Governor, State of Hawaii
A BILL FOR AN ACT

RELATING TO CLAIMS AGAINST THE STATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAI'I:

SECTION 1. Section 41D-3, Hawaii Revised Statutes, is
amended to read as follows:

"§41D-3 Adjustment of claims against the State. (a) The
attorney general may review any claim. The attorney general may
refer claims to the comptroller for informal resolution.

(b) All claims against the State that are within the
purview of section 41D-8 shall be reviewed in the first instance
by the comptroller for informal resolution as provided in this
section[-]; provided that:

(1) The comptroller may compromise or settle a claim
within the purview of section 41D-8 for an amount not
exceeding [[$15,000], $25,000] and the comptroller may
pay the claim without review by the attorney
general[-]; and

(2) The comptroller may compromise or settle and pay
a tort claim not within the purview of section 41D-8
for [[$10,000 or less], an amount not exceeding $25,000

house of representatives
thirtieth legislature, 2019
state of hawaii

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without the necessity of court approval[,] and the comptroller may pay the claim].

[c] (c) Upon referral by the comptroller, the attorney general, in the attorney general's discretion, shall make determinations of whether a claim would or would not be within the purview of section 41D-8 for purposes of [subsections (e) and (d) .] subsection (b).

[d] (d) If the tort claim cannot be resolved informally as set forth in [subsections (e) and (d) ,] subsection (b), the comptroller promptly shall inform the attorney general.

[e] (e) All of the efforts of the comptroller or the comptroller's delegate under this section shall be "compromise negotiations" within the meaning of rule 408, Hawaii Rules of Evidence, as set forth in section 626-1.

[f] (f) Claims compromised or settled under this section shall be paid from the state risk management revolving fund."

SECTION 2. Section 41D-4, Hawaii Revised Statutes, is amended by amending subsection (f) to read as follows:

"(f) The comptroller shall prepare, for each fiscal year, a report of all claims arbitrated, compromised, or settled [fe $10,000 or less] and paid from the state risk management
revolving fund[.] as provided in section 41D-3. The report
shall be submitted to the legislature twenty days prior to the
commencement of the regular session next succeeding the year for
which the report is made."

SECTION 3. Section 662-11, Hawaii Revised Statutes, is
amended by amending subsection (b) to read as follows:
"(b) Claims arbitrated, compromised, or settled by the
attorney general for [$10,000 or less] an amount not exceeding
$25,000, shall be paid from the state risk management revolving
fund. Claims arbitrated, compromised, or settled by the
attorney general for more than [$10,000] $25,000 shall be paid
only after funds are appropriated by the legislature for the
payment of those claims."

SECTION 4. Statutory material to be repealed is bracketed
and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect on July 1, 2019.

APPROVED this 21 day of JUN, 2019

[Signature]
GOVERNOR OF THE STATE OF HAWAII
HB No. 356, HD 1, SD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 30, 2019
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the
House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of
2019.

Scott K. Saiki
Speaker
House of Representatives

Brian L. Takeshita
Chief Clerk
House of Representatives
THE SENATE OF THE STATE OF HAWAI‘I

Date: April 9, 2019
Honolulu, Hawai‘i 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Thirtieth Legislature of the State of Hawai‘i, Regular Session of 2019.

President of the Senate

Clerk of the Senate