STAND. COM. REP. NO. | 95 -18

Honolulu, Hawaii

APR 16 , 2018

RE: S.B. No. 2087

S.D. 2 H.D. 2

Honorable Scott K. Saiki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2018 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2087, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EMERGENCY RESCUE DEVICES,"

begs leave to report as follows:

The purpose of this measure is to encourage the placement and use of lifesaving emergency rescue devices by providing legal protections under Hawaii's Good Samaritan Law. Specifically, this measure provides civil liability exemptions for:

- (1) Owners or operators of any premises, property, or facility where an automated external defibrillator or rescue tube is located; and
- (2) Any person who in good faith and without remuneration or expectation of remuneration attempts to rescue a person by using a rescue tube.

AED Institute, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, Koko Head Lions Club, Palolo Lions Club, Keiki Injury Prevention Coalition, and many individuals testified in support of this measure. The Hawaii Association for Justice and an individual provided comments.

SB2087 HD2 HSCR JUD HMS 2018-3562

Your Committee has amended this measure by:

- (1) Deleting the civil liability exemption for owners or operators of any premises, property, or facility where an automated external defibrillator is located;
- (2) Clarifying that only owners or operators of any premises, property, or facility adjacent to navigable waters are exempted from civil liability relating to rescue tubes; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2087, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2087, S.D. 2, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary,



State of Hawaii House of Representatives The Twenty-ninth Legislature

HSCR 1951-18

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: 5B2087 SD2 HD1	Committee Referral: OM H, JUD		Date: 04/04/18	
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: □ Pass, unamended (as is) □ Pass, with amendments (HD) □ Hold □ Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. NISHIMOTO, Scott Y. (C)				
	(ALC)			
2. SAN BUENAVENTURA, Joy A.	. (VC)			
3. BROWER, Tom				
4. LEE, Chris			A 100 May 100	
5. MORIKAWA, Dee				
6. TAKAYAMA, Gregg			mathati mathat a sa s	
7. McDERMOTT, Bob				7. (18. ap. 18. 18. 18. 18. 18. 18. 18. 18. 18. 18
8. THIELEN, Cynthia				
o. IIIIEDEN, Cynthia				
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TOTAL (8)	1			/
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				