
A BILL FOR AN ACT

RELATING TO LAND 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- Land with slope of twenty per cent or more;
5 strict liability. (a) An owner of any property having a slope
6 of twenty per cent or more shall be strictly liable for any
7 damage or injury to property or persons caused by the movement
8 of any rocks or earthen material from the owner's property to
9 down-slope property.

10 (b) As used in this section, "owner" means the possessor
11 of a fee interest, a tenant, a lessee, an occupant, or a person
12 in control of the premises."

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

16 SECTION 3. New statutory material is underscored.



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

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INTRODUCED BY:

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JAN 20 2023



H.B. NO. 454

Report Title:

Liability; Landslides

Description:

Creates strict liability for an owner of land with a 20% or more slope for damage or injury to down-slope property and persons from falling rocks, debris, and landslides originating from the owner's property.

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