

---

---

# A BILL FOR AN ACT

RELATING TO COUNTIES.

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

1 SECTION 1. Section 46-72, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 **"§46-72 Liability for damages; notice of injuries.** Before  
4 the county shall be liable for damages to any person for  
5 injuries to person or property received upon any of the streets,  
6 avenues, alleys, sidewalks, or other public places of the  
7 county, or on account of any negligence of any official or  
8 employee of the county, the person [~~se~~] injured, or the owner or  
9 person entitled to the possession, occupation, or use of the  
10 property [~~se~~] injured, or someone [~~in~~] on the person's behalf,  
11 [~~shall,~~] within [~~six months~~] two years after the injuries are  
12 received, shall give the individual identified in the respective  
13 county's charter, or if none is specified, then the chairperson  
14 of the council of the county or the [city] clerk of [Honolulu]  
15 the county, notice in writing of the injuries and the specific  
16 damages resulting, stating fully in the notice when, where, and  
17 how the injuries occurred, the extent [~~thereof,~~] of the  
18 injuries, and the amount claimed [~~therefor~~]."



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

4 SECTION 3. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

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



**Report Title:**

Torts; Counties; Notice of Claim

**Description:**

Extends statute of limitation for actions against a county for damage or injury from 6 months to 2 years. Permits the counties to identify, by charter, the person to whom claimant should give notice of claim for injuries or damage sustained on public property or as a result of the negligence of county official or employee. (HB2208 HD1)

