
A BILL FOR AN ACT

RELATING TO STATE LIABILITY.

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

1 SECTION 1. Chapter 662, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§662- Limited liability from land or rock slides.

5 Neither the State or any of its officers or employees shall be
6 liable for injury or damage to property, personal injury, or
7 death resulting from a land or rock slide originating on land
8 owned or controlled by the State, unless the State or any of its
9 officers or employees:

10 (1) Had actual notice of a dangerous condition on the land
11 making it susceptible to land or rock slides;

12 (2) Had a reasonable opportunity to give a warning of the
13 danger to the affected persons or property owners; and

14 (3) Failed to provide that warning.

15 Neither a government entity or any of its officers or employees
16 shall be liable for any damage, injury, or harm arising from the
17 giving of a warning under this section."



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. New statutory material is underscored.

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

HB 3093
HD1

Report Title:
State Liability

Description:

State shall not be liable for damage or injury caused by land or rock slide originating on State land so long as State warned the affected property owners of a known hazard of land or rock slides. (HB3093 HD1)

HB3093 HD1 HMS 2006-1920

