

PROPOSED

THE SENATE
TWENTY-THIRD LEGISLATURE, 2006
STATE OF HAWAII

S.B. NO. 2412
S.D. 1

A BILL FOR AN ACT

RELATING TO STATE AND COUNTY TORT LIABILITY.

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

1 SECTION 1. Section 7 of Act 190, Session Laws of Hawaii
2 1996, as amended by section 2 of Act 101, Session Laws of Hawaii
3 1999, and as amended by section 2 of Act 170, Session Laws of
4 Hawaii 2002, is amended to read as follows:

5 "SECTION 7. This Act shall take effect on July 1, 1996[~~+~~
6 ~~provided that this Act shall be repealed on June 30, 2007]."~~

7 SECTION 2. Section 5 of Act 170, Session Laws of Hawaii
8 2002, is amended to read as follows:

9 "SECTION 5. This Act shall take effect upon its approval;
10 provided that section 1 of this Act shall be repealed on
11 June 30, [~~2007~~] 2008."

12 SECTION 3. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

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

PROPOSED

Report Title:

Tort Liability; Lifeguards; Warnings

Description:

Repeals the sunset date of Act 190, SLH 1996, which establishes conclusive presumptions regarding the duty of public entities to warn of dangers at public beach parks. Changes the sunset date of Act 170, SLH 2002, which provides an exception to liability for county lifeguard services, to 2008. (SD1)

