

STAND. COM. REP. NO.

2397

Honolulu, Hawaii

FEB 17, 2006

RE: S.B. No. 2403
S.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Intergovernmental Affairs, to which was referred S.B. No. 2403 entitled:

"A BILL FOR AN ACT RELATING TO EXCEPTIONS TO TORT ACTIONS,"

begs leave to report as follows:

The purpose of this measure is to provide specific exceptions to tort actions.

The Mayor of Hawaii County submitted testimony in support of this measure with amendment. State Farm Insurance Companies and Consumer Lawyers of Hawaii submitted testimony in opposition.

Your Committee finds that under section 662-15, Hawaii Revised Statutes, the State currently is exempt from liability for certain torts of its employees and for torts arising out of certain circumstances. Your Committee further finds that the measure was intended to extend similar exceptions from tort liabilities to the counties. However, as drafted, the exceptions to tort action were overly broad.

Upon further consideration, your Committee has amended this measure by adding language to clarify that the intent of the measure is to exempt a county from liability for certain torts of its employees and for torts arising out of certain circumstances, similar to the exemption for the State.


As affirmed by the record of votes of the members of your Committee on Intergovernmental Affairs that is attached to this

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S.B. No. 2403, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2403, S.D. 1, and be referred to the Committee on Judiciary and Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Intergovernmental
Affairs,



DAVID Y. IGE, Chair



