
A BILL FOR AN ACT

RELATING TO CHILD ABUSE.

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

1 SECTION 1. Section 350-3, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) Any individual who assumes a duty or responsibility
4 pursuant to section 350-2 or chapter 587 shall have immunity
5 from civil liability for acts or omissions performed in good
6 faith within the scope of the individual's duty or
7 responsibility. For purposes of this section, good faith shall
8 not include wilful misconduct, recklessness, or gross
9 negligence. Nothing in this section shall limit the liability
10 of the department, any other state agency, or any private
11 organization for the conduct of individuals provided immunity
12 herein."

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.

2

INTRODUCED BY:

Guthrie Thelen
By Request

JAN 23 2008



Report Title:

Child Abuse; Reporting

Description:

Eliminates absolute immunity for those who report child abuse.
Provides qualified immunity for those who act in good faith.
Defines good faith.

