

JAN 22 2007

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# A BILL FOR AN ACT

RELATING TO LIABILITY.

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

1           SECTION 1. The legislature finds that the statutes  
2 providing state and county immunity on certain public lands have  
3 proven to be beneficial to the state and county governments as  
4 well as the general public. The liability protections have  
5 reduced the exposure of the state and county governments to  
6 substantial damages and, as a result, allowed the state and  
7 county governments to keep recreational areas with potentially  
8 dangerous conditions open to the public. Furthermore, the  
9 warning signage required by the statutes has promoted public  
10 safety by informing users of the recreational areas of  
11 potentially dangerous conditions.

12           The purpose of this Act is to repeal the sunset dates of  
13 three statutes that provide the state and county governments  
14 with liability protection for public use of certain state or  
15 county recreational areas.

16           SECTION 2. Act 170, Session Laws of Hawaii 2002, is  
17 amended by amending section 2 to read as follows:



1           "SECTION 2. Act 190, Session Laws of Hawaii 1996, as  
2 amended by Act 101, Session Laws of Hawaii 1999, is amended by  
3 amending section 7 to read as follows:

4           "SECTION 7. This Act shall take effect on July 1, 1996[~~+~~  
5 ~~provided that this Act shall be repealed on June 30, 2003]~~."

6           SECTION 3. Act 170, Session Laws of Hawaii 2002, is  
7 amended by amending section 5 to read as follows:

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9 ~~provided that section 1 of this Act shall be repealed on~~  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

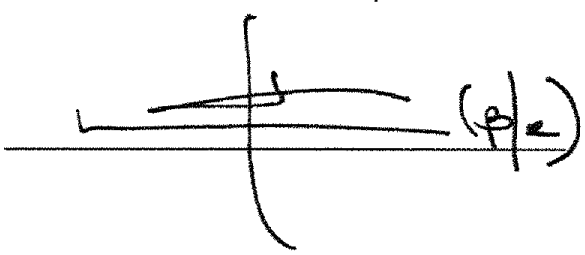
11           SECTION 4. Act 82, Session Laws of Hawaii 2003, is amended  
12 by amending section 8 to read as follows:

13           "SECTION 8. This Act shall take effect on July 1, 2003[~~+~~  
14 ~~and shall be repealed on June 30, 2008]~~."

15           SECTION 5. Statutory material to be repealed is bracketed  
16 and stricken.

17           SECTION 6. This Act shall take effect on June 29, 2007.

18

INTRODUCED BY:  (P/R)

**Report Title:**

Public Land Liability

**Description:**

Repeals certain sunset dates, thereby making permanent, laws that provide the state and county governments with liability protection for public use of certain state or county recreational areas.

