

JAN 22 2007

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# A BILL FOR AN ACT

RELATING TO EXCEPTIONS TO TORT ACTIONS.

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

- 1           SECTION 1. Chapter 663, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:
- 4           "§663- Exceptions. A county shall not be liable for:
- 5           (1) Any claim based upon an act or omission of an employee  
6           of the county, exercising due care, in the execution  
7           of a statute or rule, whether or not the statute or  
8           rule is valid, or based upon the exercise or  
9           performance or the failure to exercise or perform a  
10           discretionary function or duty on the part of a county  
11           officer or employee, whether or not the discretion  
12           involved has been abused;
- 13           (2) Any claim arising in respect of the assessment or  
14           collection of any tax, or the detention of any goods  
15           or merchandise by law enforcement officers;
- 16           (3) Any claim for which a remedy is provided elsewhere in  
17           the laws of the county or State; and



# S.B. NO. 1590

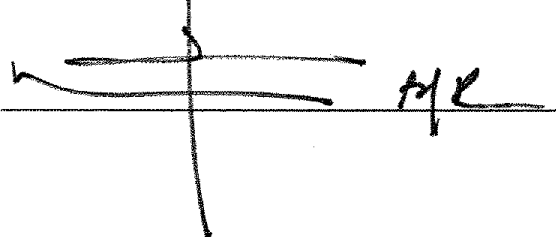
1        (4) Any claim against a county officer or employee arising  
2        out of assault, battery, false imprisonment, false  
3        arrest, malicious prosecution, abuse of process,  
4        libel, slander, misrepresentation, deceit, or  
5        interference with contract rights."

6        SECTION 2. This Act does not affect rights and duties that  
7        matured, penalties that were incurred, and proceedings that were  
8        begun, before its effective date.

9        SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY: 



**Report Title:**

Tort Actions; Exceptions; County

**Description:**

Establishes new exceptions from liability for counties in tort actions.

