

JAN 23 2008

---

---

# A BILL FOR AN ACT

RELATING TO CIVIL ACTIONS.

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

1           SECTION 1. Section 634-35, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3           "(a) Any person, whether or not a citizen or resident of  
4 this State, who in person or through an agent does any of the  
5 acts hereinafter enumerated, thereby submits such person, and,  
6 if an individual, the person's personal representative, to the  
7 jurisdiction of the courts of this State as to any cause of  
8 action arising from the doing of any of the acts:

9           (1) The transaction of any business within this State;

10           (2) The commission of a tortious act within this State;

11           (3) The ownership, use, or possession of any real estate  
12 situated in this State;

13           (4) Contracting to insure any person, property, or risk  
14 located within this State at the time of  
15 contracting[-]; or

16           (5) The commission of a tortious act against an inmate, as  
17 defined in section 355D-1, article 2, under the



1           control of the State of Hawaii who is transferred,  
 2           pursuant to section 355D-2, to an institution, as  
 3           defined in section 355D-1, article 2, located outside  
 4           this State."

5           SECTION 2. Chapter 355, Hawaii Revised Statutes, is  
 6 amended by adding a new section to be appropriately designated  
 7 and to read as follows:

8           "§355D- Preservation of civil jurisdiction. A contract  
 9 entered into by director of public safety on the behalf of the  
 10 State of Hawaii implementing the participation of the State in  
 11 the Western Interstate Corrections Compact pursuant to article 3  
 12 thereof, shall extend the Hawaii courts jurisdiction over the  
 13 commission of a tortious act against an inmate by the  
 14 contractor, as defined in section 355D-1, article 2, or their  
 15 agents."

16           SECTION 3. Statutory material to be repealed is bracketed  
 17 and stricken. New statutory material is underscored.

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

19

*Clarence M. Dickerson*

INTRODUCED BY:

*Will Espero*

*Daniel Yee*

*Randy of Bob*

*Jim*

*I. Aa. Bish*

*Richard*

*S.T.L.*

*Clarence M. Dickerson*



**Report Title:**

Corrections; Inmate; Jurisdiction; Civil Action

**Description:**

Gives the State of Hawaii courts jurisdiction over civil actions brought by Hawaii inmates for events that occurred while incarcerated in a mainland prison.

