
A BILL FOR AN ACT

RELATING TO APPEALS.

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

1 SECTION 1. Section 641-1, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§641-1 Appeals as of right or interlocutory, civil
4 matters. (a) Appeals shall be allowed in civil matters from
5 all final judgments, orders, or decrees of circuit and district
6 courts and the land court to the intermediate appellate court,
7 subject to chapter 602.

8 (b) [~~Upon application made within the time provided by the~~
9 ~~rules of court,~~] Except for interlocutory appeals as a matter of
10 right as provided in subsection (c), an appeal in a civil matter
11 may be allowed by a circuit court in its discretion from an
12 order denying a motion to dismiss or from any interlocutory
13 judgment, order, or decree whenever the circuit court may think
14 the same advisable for the speedy termination of litigation
15 before it. The refusal of the circuit court to allow an appeal
16 from an interlocutory judgment, order, or decree shall not be
17 reviewable by any other court.



1 (c) Appeals shall be allowed from interlocutory orders of
2 the circuit courts and the district courts that deny motions
3 seeking dismissal or judgment for the movant based upon
4 sovereign immunity.

5 [~~e~~] (d) An application to the circuit court to permit an
6 interlocutory appeal under subsection (b) and any appeal shall
7 be taken in the manner and within the time provided by the rules
8 of court."

9 SECTION 3. This Act does not affect rights and duties that
10 matured, penalties that were incurred, and proceedings that were
11 begun before its effective date.

12 SECTION 4. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 5. This Act shall take effect on January 1, 2046.



Report Title:

Appellate Jurisdiction

Description:

Authorizes immediate appeals from certain court orders regarding injunctions and denials of sovereign immunity. (HB1035 HD1)

