

JAN 23 2009

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# A BILL FOR AN ACT

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3 RELATING TO LAND DEVELOPMENT.  
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6 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**  
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8 SECTION 1. Chapter 520, Hawaii Revised Statutes, is  
9 amended by adding a new section to be appropriately designated  
10 and to read as follows:

11 "§520- Land with slope of twenty per cent or more;  
12 strict liability. An owner or developer of any property with a  
13 slope of twenty per cent or more shall be strictly liable for  
14 any damage or injury to property or persons caused by the  
15 movement of any rocks or earthen material from the owner's or  
16 developer's property to down hill properties."

17 SECTION 2. This Act does not affect rights and duties that  
18 matured, penalties that were incurred, and proceedings that were  
19 begun, before its effective date.

20 SECTION 3. New statutory material is underscored.

21 SECTION 4. This Act shall take effect upon its approval.  
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**Report Title:**

Real Estate Development; Liability

**Description:**

Creates strict liability for a land owner or developer of land with a slope of 20% or more for damage or injury to down-slope property and persons from falling rocks, debris, and landslides.

