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# A BILL FOR AN ACT

RELATING TO TORT LIABILITY.

**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-           Limited liability for use of tangible personal  
5 property without remuneration. (a) No civil liability or cause  
6 of action shall arise from a person's allowing a nonprofit  
7 organization to use the person's tangible personal property  
8 without remuneration or expectation of remuneration, except for  
9 such damages as may result from the person's gross negligence or  
10 wanton acts or omissions. For purposes of this subsection,  
11 "nonprofit organization" means an organization falling within  
12 Section 501(c)(3) of the United States Internal Revenue Code.

13           (b) No civil liability or cause of action shall arise from  
14 a person's allowing the use of the person's tangible personal  
15 property for shelter by another person without remuneration or  
16 expectation of remuneration, except for such damages as may  
17 result from the person's gross negligence or wanton acts or  
18 omissions."



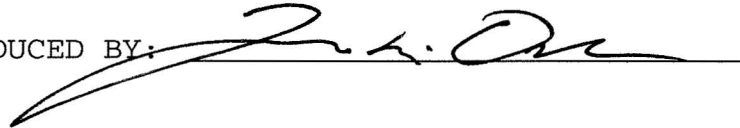
1 SECTION 2. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun, before its effective date.

4 SECTION 3. New statutory material is underscored.

5 SECTION 4. This Act shall take effect on January 1, 2010.

6

INTRODUCED BY:



JAN 21 2009



**Report Title:**

Tort Liability

**Description:**

Under certain circumstances, exempts from tort liability a person who allows their personal property to be used by another person for shelter without remuneration, and a person who allows a nonprofit organization to use tangible personal property without remuneration.

