

STAND. COM. REP. NO. 1565

Honolulu, Hawaii

Ag-17, 2009

RE: S.B. No. 532  
S.D. 1  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 532, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LIMITING CIVIL LIABILITY,"

begs leave to report as follows:

The purpose of this bill is to limit the liability of an owner of real property for the injury or death of a perpetrator that occurs on the owner's property during the commission of certain felonies.

The National Rifle Association of America, Hawaii Rifle Association, and a concerned individual testified in support of this measure. The Hawaii Association for Justice provided comments.

Your Committee has amended this measure by restricting the limitation of homeowner liability to those circumstances in which the perpetrator has been charged and convicted of one of the enumerated felonies, or convicted of a lesser included felony or misdemeanor arising from the same charge. By requiring a criminal conviction as a condition precedent to the limitation of liability, this measure as amended does not extend to a situation in which a perpetrator is killed by a homeowner during the commission of a crime.

SB532 HD1 HSCR JUD HMS 2009-3415



Your Committee has also made technical, nonsubstantive revisions for clarity and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 532, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 532, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



JON WIKI KARAMATSU, Chair



