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# A BILL FOR AN ACT

RELATING TO CIVIL 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- Exemption for providing emergency access to land,  
5 shelter, and subsistence during a disaster. (a) Any owner of  
6 private property who in good faith provides emergency access to  
7 land, shelter, or subsistence, including food and water, to a  
8 person during a disaster without remuneration or expectation of  
9 remuneration, shall be exempt from civil liability for any  
10 injury or damage suffered by the person that resulted from the  
11 owner providing such emergency access to land, shelter, or  
12 subsistence, unless the injury or damage was caused by the gross  
13 negligence or intentional or wanton acts or omissions of the  
14 owner.

15 (b) For the purposes of this section:

16 "Disaster" means a nonroutine event that exceeds the  
17 capacity of persons in the affected area to respond to it in  
18 such a way as to save lives, preserve property, or to maintain



1 the social, ecological, economic, or political stability of the  
2 affected area.

3 "Emergency" means a situation in which the life or health  
4 of a person is in jeopardy due to a disaster requiring immediate  
5 assistance.

6 "Owner" means the possessor of a fee interest, or a tenant,  
7 lessee, occupant, person, group, club, partnership, family,  
8 organization, entity, or corporation that has control,  
9 possession, or use of the land, and its members, agents,  
10 partners, representatives, shareholders, and employees."

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

14 SECTION 3. New statutory material is underscored.

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



**Report Title:**

Emergency Shelter; Private Property Owner; Limited Liability

**Description:**

Exempts an owner of private property who provides emergency access to land, shelter, or subsistence to a person in good faith during a disaster from liability for injury or damage suffered by the person, unless it was caused by the gross negligence or intentional or wanton acts or omissions of the owner of the land. (HB2686 CD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

