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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 shelter and  
5 subsistence during a natural disaster. (a) Any owner of  
6 private property who in good faith provides emergency shelter or  
7 subsistence, including food and water, to a person during a  
8 natural 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 shelter or subsistence, unless  
12 the injury or damage was caused by the gross negligence or  
13 intentional or wanton acts or omissions of the owner.

14           (b) For the purposes of this section:

15           "Emergency" means a situation in which the life or health  
16 of a person is in jeopardy due to a natural disaster requiring  
17 immediate assistance.



1       "Natural disaster" means a nonroutine event that exceeds  
2 the capacity of persons in the affected area to respond to it in  
3 such a way as to save lives, preserve property, or to maintain  
4 the social, ecological, economic, or political stability of the  
5 affected area.

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 is in control,  
9 possession, or use of the land, and their 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 on January 7, 2059.



**Report Title:**

Emergency Shelter; Private Property Owner; Limited Liability

**Description:**

Exempts an owner of private property who provides emergency shelter or subsistence to a person in good faith during a natural 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. Effective 01/07/59. (SD1)

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

