

JAN 19 2012

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# A BILL FOR AN ACT

RELATING TO LAW ENFORCEMENT.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 52D-15, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "~~{}~~§52D-15~~{}~~ Off-duty police officers~~{}~~ and law  
4 enforcement officers; benefits for personal injuries. (a) For  
5 the purposes of chapters 88 and 386~~{}~~a:

6           (1) An off-duty police officer or an off-duty law  
7 enforcement officer who is injured, disabled, or  
8 killed while actually engaged in the apprehension or  
9 attempted apprehension of law violators or suspected  
10 law violators, or in the preservation of peace, or in  
11 the protection of the rights or property of persons  
12 shall be deemed to have been injured, disabled, or  
13 killed while in the actual performance of duty~~{}~~i and  
14 ~~{the}~~

15           (2) The injury, disability, or death of an off-duty law  
16 police officer or off-duty law enforcement officer  
17 shall be deemed to have been caused by accident  
18 arising out of and in the course of the police



1 officer's or law enforcement officer's employment,  
2 notwithstanding that the accident causing the injury,  
3 disability, or death occurred at a time, place, or  
4 time and place, not within the police officer's or law  
5 enforcement officer's regular tour of duty and  
6 notwithstanding that the police officer or law  
7 enforcement officer was not acting under the direction  
8 of the police officer's or law enforcement officer's  
9 superiors, as applicable, at the time and place of the  
10 accident; provided that the accident occurs within the  
11 jurisdiction wherein the police officer is  
12 commissioned or law enforcement officer is appointed  
13 and while the police officer or law enforcement  
14 officer is acting solely as a police officer[-] or law  
15 enforcement officer;

16 provided that, paragraphs (1) and (2) shall apply when law  
17 enforcement action is taken, whether or not the law enforcement  
18 action takes place in a jurisdiction inside or outside this  
19 State.

20 (b) For purposes of this section, the term "law  
21 enforcement officer" refers to public safety officers appointed



1 and state law enforcement officers referenced under section  
2 353C-4."

3 SECTION 2. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5 SECTION 3. This Act shall take effect upon its approval.

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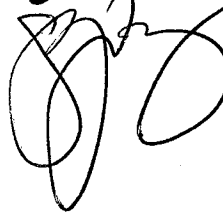
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for allan

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**Report Title:**

Off-Duty Police Officers; Law Enforcement Officers; Benefits

**Description:**

Extends the same retirement and workers' compensation benefits of police officers to law enforcement officers for personal injuries incurred while off-duty and actually engaged in the apprehension or attempted apprehension of law violators or suspected law violators, the preservation of peace, or the protection of the rights or property of persons regardless of whether the law enforcement action takes place in a jurisdiction inside or outside of this State.

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