

Honolulu, Hawaii  
February 15, 2013

RE: H.B. No. 776  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 776 entitled:

"A BILL FOR AN ACT RELATING TO GOVERNMENT TORT LIABILITY,"

begs leave to report as follows:

The purpose of this measure is to afford the State of Hawaii the same right as private individuals when it is sued in tort by allowing the State to demand a jury trial in the same manner and to the same extent as a private individual in a tort action.

The Department of the Attorney General and Activities & Attractions Association of Hawaii supported this measure. Hawaii Justice Association opposed this measure.

Your Committee has amended this measure by:

- (1) Specifying in the preamble that the purpose of this Act is to afford all parties with the same right to elect a jury trial in tort actions brought against the State pursuant to Chapter 662, Hawaii Revised Statutes (HRS);
- (2) Expanding the right to demand a jury trial in an action against the State under Chapter 662, HRS, to any party; and
- (3) Making technical, nonsubstantive amendments for style, clarity, and consistency.



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 H.B. No. 776, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 776, H.D. 1, and be referred to the Committee on Finance.

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



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KARL RHOADS, Chair



