



EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

June 20, 2014

GOV. MSG. NO. 1213

The Honorable Donna Mercado Kim,
President
and Members of the Senate
Twenty-Seventh State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Seventh State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on June 20, 2014, the following bill was signed into law:

SB2687 SD1 HD2 CD1

RELATING TO LIMITATION OF ACTIONS
ACT 112 (14)

Aloha
Neil Abercrombie

NEIL ABERCROMBIE
Governor, State of Hawaii

A BILL FOR AN ACT

RELATING TO LIMITATION OF ACTIONS.

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

1 SECTION 1. Section 657-1.8, Hawaii Revised Statutes, is
2 amended by amending subsections (a) and (b) to read as follows:

3 "(a) Notwithstanding any law to the contrary, except as
4 provided under subsection (b), no action for recovery of damages
5 based on physical, psychological, or other injury or condition
6 suffered by a minor arising from the sexual abuse of the minor
7 by any person shall be commenced against the person who
8 committed the act of sexual abuse more than:

9 (1) Eight years after the eighteenth birthday of the minor
10 or the person who committed the act of sexual abuse
11 attains the age of majority, whichever occurs later;
12 or

13 (2) Three years after the date the minor discovers or
14 reasonably should have discovered that psychological
15 injury or illness occurring after the age of minor's
16 eighteenth birthday was caused by the sexual abuse,
17 whichever comes later.



1 A civil cause of action for the sexual abuse of a minor
2 shall be based upon sexual acts that constituted or would have
3 constituted a criminal offense under part V or VI of chapter
4 707.

5 (b) For a period of [~~two~~] four years after [~~+~~]April 24,
6 2012[~~+~~], a victim of child sexual abuse that occurred in this
7 State [~~who had been barred from filing a claim against the~~
8 ~~victim's abuser due to the expiration of the applicable civil~~
9 ~~statute of limitations that was in effect prior to [April 24,~~
10 ~~2012],~~] may file a claim in a circuit court of this State
11 against the person who committed the act of sexual abuse[~~-~~] if
12 the victim is barred from filing a claim against the victim's
13 abuser due to the expiration of the applicable civil statute of
14 limitations that was in effect prior to April 24, 2012.

15 A claim may also be brought under this subsection against a
16 legal entity[~~, except the State or its political subdivisions,~~]
17 if:

18 (1) The person who committed the act of sexual abuse
19 against the victim was employed by an institution,
20 agency, firm, business, corporation, or other public
21 or private legal entity that owed a duty of care to
22 the victim; or



1 (2) The person who committed the act of sexual abuse and
2 the victim were engaged in an activity over which the
3 legal entity had a degree of responsibility or
4 control.

5 Damages against the legal entity shall be awarded under
6 this subsection only if there is a finding of gross negligence
7 on the part of the legal entity."

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

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

APPROVED this 20 day of JUN, 2014



GOVERNOR OF THE STATE OF HAWAII