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# A BILL FOR AN ACT

RELATING TO STATE LANDS.

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

1           SECTION 1. The legislature finds that areas on public  
2 lands that are susceptible to rockfall pose a serious hazard to  
3 public safety, and that mitigation of these hazards is a matter  
4 of statewide concern. However, the legislature also finds that  
5 the State's exposure to liability for conducting rockfall  
6 mitigation projects has hindered the State's ability to  
7 successfully mitigate these hazards.

8           The purpose of this Act is to provide civil immunity for  
9 the State when conducting rockfall mitigation activities on  
10 public lands.

11           SECTION 2. Chapter 171, Hawaii Revised Statutes, is  
12 amended by adding a new section to part I to be appropriately  
13 designated and to read as follows:

14           "§171-           Rockfall mitigation; immunity from liability.

15           The department, the board, department employees, and department  
16           agents shall be immune from liability for any civil action that



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1 arises from an act or omission that occurs during the process of  
2 conducting rockfall mitigation activities on public lands."

3 SECTION 3. This Act does not affect rights and duties that  
4 matured, penalties that were incurred, and proceedings that were  
5 begun before its effective date.

6 SECTION 4. New statutory material is underscored.

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

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INTRODUCED BY:

Linda Ichizawa

JAN 27 2016



# H.B. NO. 2166

**Report Title:**

Rockfall Mitigation; Immunity; State Lands: DLNR

**Description:**

Provides that DLNR shall be immune from liability for any civil action that arises from an act or omission that occurs during the process of conducting rockfall mitigation activities on public lands.

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

