

JAN 27 2016

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 subsection (b) to read as follows:

3 "(b) For a period of [~~four~~] six years after April 24,
4 2012, a victim of child sexual abuse that occurred in this State
5 may file a claim in a circuit court of this State against the
6 person who committed the act of sexual abuse if the victim is
7 barred from filing a claim against the victim's abuser due to
8 the expiration of the applicable civil statute of limitations
9 that was in effect prior to April 24, 2012.

10 A claim may also be brought under this subsection against a
11 legal entity if:

12 (1) The person who committed the act of sexual abuse
13 against the victim was employed by an institution,
14 agency, firm, business, corporation, or other public
15 or private legal entity that owed a duty of care to
16 the victim; or



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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 Statutory material to be repealed is bracketed
 9 and stricken. New statutory material is underscored.

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

11

INTRODUCED BY:



~~SC 422.000~~
 Suzanne Ann Ballard

Rose J. Baker



S.B. NO. 3053

Report Title:

Statute of Limitations; Civil Actions; Sexual Abuse of a Minor

Description:

Extends the period during which a victim of child sexual abuse may bring an otherwise time-barred civil action against the victim's abuser or an entity with a duty of care.

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