

STAND. COM. REP. NO.

1708

Honolulu, Hawaii

April 6

, 2017

RE: S.B. No. 562

S.D. 1

H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 562, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to extend until June 30, 2021, the limited liability protection established under Act 170, Session Laws of Hawaii 2002, as amended, for county lifeguard services.

The Hawaii Council of Mayors, Mayor of the County of Kauai, Mayor of the County of Maui, Council Chair of the County of Maui, Hawaii State Association of Counties, Kauai Fire Department, Hawaii Fire Department, Honolulu Emergency Services Department, Kauai Lifeguard Association, Hawaiian Lifeguard Association, Department of Land and Natural Resources, and one individual testified in support of this measure. The Department of Health and Hawaii Association for Justice provided comments.

Upon careful consideration, your Committee has amended this measure by deleting its contents and inserting provisions requiring the Attorney General to defend any civil action based on the negligence, wrongful act, or omission of a county lifeguard

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for services at a designated State beach park under an agreement between the State and a county.

In addition, this measure has been amended to take effect upon its approval.

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 S.B. No. 562, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 562, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

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



SCOTT Y. NISHIMOTO, Chair



