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# A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

1       SECTION 1. Chapter 127A, Hawaii Revised Statutes, is  
2       amended by adding a new section to be appropriately designated  
3       and to read as follows:

4       "§127A-       Shelter during missile threat; business and  
5       homeowner immunity. (a) Immediately after an attack warning  
6       signal siren, emergency alert system advisory, and wireless  
7       emergency alert system advisory of an inbound missile threat,  
8       any person who owns or operates a business that requires a  
9       general excise tax license or owns a home shall make available  
10      the premises to any member of the public.

11       (b) Any person who owns or operates a business that  
12      requires a general excise tax license or owns a home shall  
13      exercise reasonable care to ensure the safety of the public on  
14      the premises, and shall not be subject to civil liability for  
15      any damages to any member of the public resulting from the  
16      member's presence on the premises, except for damages resulting  
17      from gross negligence or intentional misconduct or omissions.



1        (c) This section shall not be construed to limit any cause  
2 of action against any member of the public who causes any  
3 damages to the business or home premises."

4        SECTION 2. Section 127A-4, Hawaii Revised Statutes, is  
5 amended to read as follows:

6        "[+]§127A-4[+] **Hawaii advisory council on emergency**  
7 **management.** (a) There shall be a Hawaii advisory council on  
8 emergency management, which shall be attached to the agency for  
9 administrative purposes, and which shall consist of seven  
10 members nominated and, by and with the advice and consent of the  
11 senate, appointed by the governor. The governor shall designate  
12 the chairperson of the council. The council, at the request of  
13 the governor, shall confer with and advise the governor in  
14 regard to matters pertaining to emergency management. Members  
15 of the council shall receive no compensation but shall be  
16 reimbursed for travel and other reasonable and necessary  
17 expenses incurred in carrying out their duties relating to the  
18 council. Persons holding public office or employment in the  
19 state government, or any political subdivision thereof, are  
20 eligible for appointment to the council.



1        (b) The council shall develop a plan setting forth  
2 emergency and disaster response goals and strategies and shall  
3 update the plan as necessary. The plan shall include any  
4 strategies and necessary actions, including any proactive  
5 strategies and actions, to allow for:

6        (1) Rapid, timely, and efficient response to an emergency,  
7 disaster, or local state of emergency so as to  
8 minimize the effects of the emergency, disaster, or  
9 local state of emergency; and

10       (2) Rapid and timely recovery from an emergency, disaster,  
11 or local state of emergency.

12 No later than twenty days prior to the convening of the 2021  
13 regular session, and no later than every five years thereafter,  
14 the council shall submit a report to the legislature, governor,  
15 and administrator containing the most recent and updated plan."

16       SECTION 3. There is appropriated out of the general  
17 revenues of the State of Hawaii the sum of \$               or so much  
18 thereof as may be necessary for fiscal year 2018-2019 for the  
19 development of a plan setting forth strategies and goals for  
20 emergency and disaster response and recovery.



1       The sum appropriated shall be expended by the Hawaii  
2 emergency management agency for the purposes of this Act.

3       SECTION 4. If any provision of this Act, or the  
4 application thereof to any person or circumstance, is held  
5 invalid, the invalidity does not affect other provisions or  
6 applications of the Act that can be given effect without the  
7 invalid provision or application, and to this end the provisions  
8 of this Act are severable.

9       SECTION 5. Statutory material to be repealed is bracketed  
10 and stricken. New statutory material is underscored.

11       SECTION 6. This Act shall take effect on July 1, 2018.

12  
INTRODUCED BY:

  


JAN 24 2018



# H.B. NO. 2693

**Report Title:**

Shelter During Missile Threat; Business and Homeowner Immunity; Emergency Preparedness; Hawaii Advisory Council on Emergency Management; Report; Appropriation

**Description:**

Requires businesses and homeowners to provide shelter upon missile threat alert. Provides immunity to businesses and homeowners. Requires the Hawaii Advisory Council on Emergency management to develop a plan for emergency and disaster response. Requires legislative report. Appropriates moneys.

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

