

JAN 18 2019

A BILL FOR AN ACT

RELATING TO LIFEGUARDS.

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

1 SECTION 1. Chapter 663, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:

4 "§663- Exception to liability for county lifeguard
5 services. (a) Notwithstanding any other law to the contrary, a
6 county lifeguard, the employing county, or the State shall not
7 be liable for any civil damages resulting from any act or
8 omission of a lifeguard while the lifeguard is providing rescue,
9 resuscitation, or other lifeguard services on the beach or in
10 the ocean that are within the course and scope of the
11 lifeguard's employment as a county lifeguard; provided that this
12 exception to liability shall not apply when a claim for civil
13 damages results from a county lifeguard's gross negligence or
14 wanton act or omission.

15 (b) As used in this section:

16 "County lifeguard" means a person employed as a lifeguard
17 by a county of this State.



1 "Employing county" means the county employing a county
2 lifeguard."

3 SECTION 2. 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 3. New statutory material is underscored.

7 SECTION 4. This Act shall take effect upon its approval.

8

INTRODUCED BY: *W. M. W.*
By Request



S.B. NO. 402

Report Title:

Maui County Mayor's Package; Lifeguards; State and County Tort Liability

Description:

Reinstates certain liability exceptions for county lifeguards.

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

