#### THE SENATE THIRTY-SECOND LEGISLATURE, 2023 STATE OF HAWAII

### S.B. NO. <sup>1277</sup> S.D. 1

# A BILL FOR AN ACT

## MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES.

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

1	PART I						
2	SECTION 1. The following sums or so much thereof as may b	)e					
3	necessary for fiscal year 2022-2023 are appropriated out of the	3					
4	general revenues of the State of Hawaii to the department of th	ıe					
5	attorney general for the purpose of satisfying claims for						
6	legislative relief as to the following named persons, firms,						
7	corporations, and entities, for claims against the State or its	3					
8	officers or employees, for the overpayment of taxes, or for						
9	refunds, reimbursements, payments of judgments or settlements,						
10	or other liabilities, in the amounts set forth opposite their						
11	names:						
12 13 14	JUDGMENTS AGAINST THE STATE AMOUNT AND SETTLEMENTS OF CLAIMS:						
15 16	1. MISCELLANEOUS CLAIMS:						
17 18	Kelly and Robert Armstrong \$ 100,333.33						
19 20	Mercedes Nakaza \$ 94.46						
20 21	Jyron Salamanca \$ 1,992.30						

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1 2		The Estate of Take Yamashiro	\$	4,777.03
2 3 4		Community Empowerment Resources	\$	153,110.25
5 6		Ding Jing	\$	118,524.00
7 8 9		SUBTOTAL:	\$	378,831.37
10 11	2.	DEPARTMENT OF THE ATTORNEY GENERAL:		
12 13 14 15		Honolulu Civil Beat Inc. v. Department of the Attorney General, SCAP-21-00000057; Civil No. 1CC161001743 JMT	\$	79,199.38 (Judgment)
16 17 18		SUBTOTAL:	\$	79,199.38
19 20	3.	DEPARTMENT OF EDUCATION:		
20 21 22 23 24		Kristen Kam, et al. v. State of Hawaii Board of Education, et al. Civil No. 21-00211 JAO-KJM, USDC	\$	250,000.00 Settlement
25 26 27 28		Cipriano Millano, et al. v. State of Hawaii, et al. Civil No. 2CC-13-1-000031, Second Circuit	\$	750,000.00 Settlement
29 30 31		Roe No. 113 v. State of Hawaii Civil No. 1CC-19-1-000460, First Circuit	\$	450,000.00 Settlement
32 33 34		SUBTOTAL:	\$1,	450,000.00
35 36	4.	DEPARTMENT OF HUMAN SERVICES		
37 38 39 40		E.F. v. State of Hawaii, Department of Human Services, et al. Civil No. 1CCV-20-0000497, First Circuit	\$	35,000.00 Settlement
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1 2	SUBTOTAL:	\$	35,000.00			
- 3 4	TOTAL (SECTION 1):	\$1	,943,030.75			
4 5	The sums appropriated shall be expended by	the d	department			
6	of the attorney general for the purposes of this Act.					
7	PART II					
8	SECTION 2. The following sums or so much thereof as may be					
9	necessary for fiscal year 2022-2023 are appropri	ated	out of the			
10	state highway fund for the purpose of satisfying claims for					
11	legislative relief as to the following named persons, for claims					
12	against the State or its officers or employees for payments of					
13	judgments or settlements, or other liabilities, in the amount					
14	set forth opposite their names:					
15 16 17	JUDGMENTS AGAINST THE STATE AND SETTLEMENTS OF CLAIMS:		AMOUNT			
18 19	DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:					
20 21 22	Satya Simmons, et al. v. State of Hawaii, et al. Civil No. 2CC171000224, Second Circuit	\$	500,000.00 Settlement			
23 24 25	SUBTOTAL:	\$	500,000.00			
25 26	TOTAL (SECTION 2):	\$	500,000.00			

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1 The sums appropriated shall be expended by the department 2 of transportation, highways division, for the purposes of this 3 Act. 4 PART III 5 SECTION 3. The sums hereinabove may be paid to the 6 respective persons, firms, corporations, or entities for the 7 satisfaction or settlement of the respectively identified cases, and in several amounts hereinabove set forth or in lesser 8 9 amounts deemed appropriate, upon checks issued by the comptroller; provided that departments shall obtain the approval 10 11 of the attorney general before payment of any claim may be made. 12 SECTION 4. Notwithstanding the sums hereinabove stated as interest upon judgments against the State, payment of interest 13 shall be limited to the period from the date of the judgment, if 14 15 applicable, to thirty days after the effective date of this Act, as provided in section 662-8, Hawaii Revised Statutes, for those 16 17 cases to which the statute applies. SECTION 5. All unexpended and unencumbered balances of the 18 appropriations made in this Act as of the close of business on 19 20 June 30, 2024, shall lapse.

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

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



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Report Title: Claims Against the State

**Description:** Makes appropriations and approves payments for claims against the State, its officers, and its employees. (SD1)

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